

CHAPTER VI

CHAPTER VI

TECHNICAL ASSISTANCE

The somewhat indistinct role of technical assistance lies somewhere between the vigorous enforcement of Title VII and reliance on moral suasion, ethical standards, and goodwill.

The Congressional mandate, as stated in Section 705(g) (3) of Title VII, authorized the Commission "to furnish to persons subject to this title such technical assistance as they may request to further their compliance with this title or an order issued thereunder." The term "persons" is interpreted to mean employers, unions, and employment agencies.

The primary task of providing this assistance lies intrinsically within the Office of Technical Assistance. With the term "technical assistance" undefined and its role somewhat uncertain, the Office began operations as two divisions: the Educational Division and the Technical Assistance Division. There was, at that time, no

titular head of the Office of Technical Assistance. Chairman Roosevelt had hoped to obtain a company executive (hopefully near retirement for financial reasons) so that the office could have the "industry speaking to industry" image. This plan, however, was never realized. It was not until early 1967 that William J. Kendrick, formerly of EEOC's Congressional Liaison Office, was appointed Director.

At its inception, the Educational Division was charged with the responsibility of creating a favorable climate for the implementation of Title VII. This was to be accomplished basically through providing materials, e.g., brochures, and ideas for affirmative action to employers, labor unions, and employment agencies.

The first effort along this line was in the form of a pamphlet, "Equal Employment Is Good Business," containing many convincing arguments for equal employment. Copies of the pamphlet, which included a step-by-step program for affirmative action, were distributed to approximately 70,000 companies and corporations, covered by Title VII, as a part of the 1966 Employer Information Report EEO-1 mailing. Additionally, 25,000 copies were mailed at

the request of employers seeking guidance in affirmative action.

As a method of extending its educational influence, with its limited budget and small staff, the Educational Division obtained, evaluated, and distributed effective publications, films, and programs produced by public and other Government agencies. Examples included "An Employer's Guide to On-The-Job Training," an informative pamphlet which was published by the Bureau of Apprenticeship and Training in the Department of Labor and included a list of the state offices where eligible local employers could apply for Federal funds for training purposes. In March 1967, the Educational Division's staff and functions were detailed to the Office of Public Affairs.

Merit Employment Councils

The Sixty City Plan, as it was initially called, was first presented to the Commission on December 8, 1965. At that time, the Technical Assistance Division distributed a list of cities indicating population and percent Negro population and outlined the target cities that were to participate in Merit Employment Councils and regional conferences.

The types of activities envisioned for these councils by the Office of Technical Assistance included:

- (1) Signing up new members--businesses who pledge non-discrimination publicly and advertise that they are "Equal Opportunity Employers."
- (2) Asking members to engage in affirmative action.
- (3) Working together to solve community employment problems.
- (4) Engaging in job training programs.
- (5) Providing counseling services and concerted action to prevent school dropouts.
- (6) Providing guidance to employers.
- (7) Encouraging nonmembers to comply with Title VII.
- (8) Providing in-plant training information.
- (9) Providing a placement service.
- (10) Cooperating with all civic groups to coordinate their efforts.
- (11) Serving as a focal point for government service information to member companies.

The pilot project for the Merit Employment Council Program was held in Atlanta, Georgia, on February 7, 1966. Representatives from Charlotte, Birmingham, Columbia, Nashville, Atlanta, Jacksonville, St. Petersburg, Miami, Tampa, and Memphis were invited. At the February 15 Commission meeting a member of the Technical Assistance staff, in describing the success of the pilot meeting, stated that in Atlanta the businessmen had heard first-hand reports on the merits of equal employment, the necessity for aggressive recruiting, and the need for flexible testing procedures and expanded training opportunities. At the

close of the meeting, the spokesman for each of the cities represented pledged that a council would be established in his respective city. Birmingham was the first to notify the Commission that its program was underway; Atlanta soon followed next. That 100 businessmen had paid their own way to Atlanta and left feeling they had spent their time and money satisfactorily was, according to Technical Assistance, an encouraging beginning.

At this point in the meeting, Commissioner Jackson voiced strong objections to the program. He further indicated in his memorandum of February 10, that while supporting the Atlanta meeting, he opposed continuing current action plans for merit employment councils. He summarized the disadvantages of Commission participation:

"Our involvement in the Merit Employment Councils appears to be a strange anomaly indeed--we, a Federal regulatory body, are competing with a federation of businessmen to establish a program parallel to one they have already begun, aimed at winning voluntary citizen participation which they best represent, which will cost us resources that we cannot now spare, even though this program threatens to lose the confidence and goodwill of the very minority-group interest and concerns we are primarily dedicated to further and protect."⁶⁰

⁶⁰Memorandum from Samuel C. Jackson, February 10, 1966, p. 5.

Alternatively, Commissioner Jackson suggested the Urban League and Plans for Progress as sponsors for such a program and urged that Commission involvement in the Merit Employment Councils be postponed until a later period in the Commission's operation.

Commissioner Hernandez also, wished "to lower the priority given to EEOC participation in the formation of merit employment councils--not because [she did not feel] that such councils can serve a useful purpose, but because [she believed] the Commission's limited facilities should be focused in other ways for the time being."⁶¹

The negative response to this program stemmed not only from the objections described above, but from the premature handling of the program and lack of a clear-cut understanding by Technical Assistance as well.

⁶¹Memorandum from Aileen C. Hernandez, March 16, 1966, p. 1.

On April 20, 1966, Commissioner Hernandez urged the approval, with some minor changes, of the statement on the Councils, now to be designated as Equal Opportunity Councils. The resolution, dated March 18, 1966, was as follows:

"That the Equal Employment Opportunity Commission request that Plans for Progress and the Urban League call a meeting to coordinate efforts to create merit employment councils, that the Commission offer to support, evaluate, and provide guidance to these programs, that at a Commission meeting following the merit council coordination meeting the Commission determine whether it is satisfied that the program undertaken by Plans for Progress and/or the Urban League, with the support of the Commission, will produce with reasonable speed a reasonable number of merit councils organized and operating to standards acceptable to the Commission, that if the Commission is satisfied with the program adopted, the Commission cede leadership in the establishment of merit councils to the above groups and the Commission limit its activities to a supporting role, that pending the outcome of the merit council coordinating meeting the Commission's so-called 'Sixty Cities Plan' be held in abeyance and that the Commission's Technical Assistance staff be directed to give first priority to 'New Plant' Technical Assistance programs, to community and industry-wide employment programs, to technical assistance programs for respondents as directed in addendum to conciliation agreements and to other programs that the Commission may direct. In addition to Plans for Progress and Urban League, it is suggested that representatives of the NAM STEP Program, the Chamber, Project Equality and other interested groups be invited to attend."

Difficulty regarding budget justifications following the

elimination, or postponement as it was preferably called, of the Sixty City Plan was expressed by Chairman Roosevelt in the March 24 Commissioners' meeting. At that time, Commissioner Jackson stated that the Commission "could justify the budget request under the present policy of the Commission...." He further reported that a re-examination of the budget presented to the Commission in the fall of 1965, which attributed to the Sixty City Plan the rationale for an expanded staff in Technical Assistance, did not specifically mention the Merit Employment Council program. In light of this, Commissioner Jackson urged that Commission explanation of the specific programs to be implemented under the Sixty City Project, "with proper embellishment," might include various programs, such as:

- (1) The identification of new plant openings in sixty target cities;
- (2) The identification of plant expansions in sixty cities;
- (3) The identification of apprenticeship programs in sixty cities to secure expanded admission opportunities for minorities;
- (4) Special programs of a cooperative nature with labor organizations to obtain a concentrated attack on remaining problems of limited opportunities for minorities in union-affected employment opportunities in sixty cities;
- (5) Exploration of novel ways in which the EEOC and OEO can mutually facilitate and expand their effectiveness in bringing together the job needs

of industry with the demand for jobs in disadvantaged neighborhoods.

With the passage of time, the term "Sixty City" lost itself in the history of the Commission. However, some of the programs suggested as its substitute have become part of the Technical Assistance program.

New Plants Program

Of particular merit is the New Plants program, the basic concept of which is that the establishment of fair employment practices early in the life of a plant is a most effective means of inhibiting the development of exclusionary practices in industry.

It was the opinion of Chairman Roosevelt that since a large percentage of all new plant construction in this country was sponsored by Plans for Progress companies, and since the Commission was putting the major responsibility on Plans for Progress and the Urban League for affirmative action councils and Merit Employment Councils, the Commission ought also to consider putting the major responsibility for improved hiring patterns on the Plans for Progress organization. Although he stated that he had not yet made up his mind, Mr. Roosevelt felt that

Plans for Progress might be in a stronger position than EEOC to supervise the employment procedures and patterns of new plants. Nevertheless, this program has been under the guidance and purview of the Office of Technical Assistance since its inception in 1966. The effort in this sphere began with Commission acceptance when the idea was first presented at a meeting on May 26, 1966.

The program involved contacting the chief executive of a new plant to obtain specific information on the type and number of jobs being created; researching the socio-economic background of the area; informing the plant management of the facts found in the research; and, finally, following up the initial contact through the appropriate field office. After discussion, it was agreed that each Commissioner would handle one plant. Vice Chairman Holcomb assumed the responsibility for Owens-Illinois in Orange County, Texas; Commissioner Jackson, Eastman Kodak in Columbus, South, Carolina; Commissioner Hernandez, Douglas Aircraft in South Carolina and Arkansas; and, Commissioner Graham was to work with RCA in Memphis.

Although there were many problems to be solved and

a few unpleasant episodes during the first year, the New Plants program developed into a successful one. In the second year of Commission operation, the program was expanded and systematized. Information on new plant construction was obtained through a monthly publication, "Sales Prospector," which lists all new plant construction nationwide and through "New Construction," monthly reports issued for 16 states. New plants were selected where planned employment exceeded 100 and the location of the new plant was in an area of at least five percent minority population. In preparation for the visit, which no longer involved a specific Commissioner, research was undertaken to determine community population and workforce, median income (Negro and white), employment services available, EEO-1 data for the company and other pertinent facts.

The first part of the visit itself was in the minority community, speaking with leaders, identified previously, and identifying others. At the plant every aspect of company operation was discussed in relation to equal employment opportunity, with particular emphasis on preemployment and hiring procedures. The follow-up program involved three telephone contacts subsequent to

the visit, 30 days, three months, and six months later, and were made to both plant officials and community leaders, requesting total and minority employment figures and job descriptions of new minority hires and promotions. The Office of Technical Assistance felt that the two fold rapprochement with the employer and the minority community was of particular value.

In its third year of evolution, techniques of the New Plants program were broadened whereby the hiring officials were persuaded to go directly to the minority community and conduct an interview and hiring session. Through this method, an employer was able to establish credibility about equal job opportunities, and the minority group member responded to the interview more readily in familiar surroundings. This new technique, first used with the Bendix-Avionics Division in Ft. Lauderdale, Florida, proved very successful.

The results of the New Plant program are impressive and appear to justify the efforts expended. Of the 166 companies visited since the inception of the program, 57 reported their employment statistics by the close of Fiscal Year 1968: of the 5,440 new hires, 1,830 (33.6%)

were minority group members. It is estimated that at least half of the minority group members were hired as the result of the New Plant program.

Albuquerque Conference on Job Discrimination

An attempt to define the discriminatory employment problems of Mexican Americans in the Southwest and to structure programs for their solution was made by the Commission on March 28, 1966, in Albuquerque, New Mexico. As Commissioner Graham reported to the Commissioners on March 29, the outcome of the Conference on Job Discrimination was not immediately successful.

The conference began promptly at 9:30 a.m. After a few introductory remarks by Commissioner Graham and Mr. Edelsberg, Mr. Augustine Flores (President, American G.I. Forum), one of the five leaders of Mexican-American groups scheduled to speak, gave a temperate, somewhat critical speech. Mr. Bert N. Corona (Acting President, Mexican-American Political Association) followed with censorious remarks about the Commission, in particular the staffing pattern. Hon. Alfred J. Hernandez (President, League of United Latin American Citizens), reinforced the preceding speaker by stating that he wanted a Mexican-American

Commissioner. Finally, Mr. Albert Peña (President, Political Association Spanish Speaking Organizations) delivered a serious talk requesting field offices in Los Angeles and San Antonio. Suddenly, he announced that until there were representatives of EEOC with greater knowledge and sensitivity to Mexican-American problems, he was leaving and wanted those who agreed with him to leave also. He left, taking about 50 others, and leaving behind about 12 persons, including Commissioner Graham and four members of EEOC, representatives of the Governors, state employment services, and others.

Commissioner Graham, through an emissary to the departed group of Mexican-Americans, offered the lunch-room to them and indicated that the EEOC would join them, if invited. They accepted and invited EEOC. The dialogue throughout the luncheon emphasized the need for EEOC representatives to take the message back. At the termination of the luncheon, Commissioner Graham rose and stated that although the meeting had not transpired as planned, it was quite possible that some good had come from it, specifically that EEOC was beginning to understand what the Mexican-American community wanted and was trying to

accomplish. There was an ovation from the assembled group. Commissioner Graham later said of the meeting, "I think we have made some friends--not lost them."

Subsequent to the conference, Vicente T. Ximenes, an American of Mexican descent, was appointed a Commissioner of EEOC. At the swearing-in ceremony for Mr. Ximenes on June 9, 1967, President Johnson announced the establishment of the Inter-Agency Committee on Mexican American Affairs. He named Mr. Ximenes as Chairman and asked the Secretaries of Agriculture; Health, Education, and Welfare; Housing and Urban Development; and Labor; and the Director of the Office of Economic Opportunity to serve as members of the Committee. At a later date, the Secretary of Commerce also joined the Committee.

The purpose of the Committee, as set forth by the President when announcing its formation, was to assure that Federal programs were reaching Mexican Americans and to seek new programs to handle problems unique to the Mexican-American community.

As directed by the President, the Committee held the Cabinet Committee Hearings on Mexican-American Affairs in October 1967. It was an historical first for the Mexican-American community. It was the first time that this

group had been given an opportunity to discuss matters of direct concern (including education, economic opportunity, housing, and health) with the highest officials of the government.

President Johnson, Vice President Humphrey, four Cabinet members, the Chairman of the Civil Service Commission, the Director of the Office of Economic Opportunity and 1,200 people gathered in El Paso, Texas to participate in the Hearings. Over 50 persons of divergent backgrounds but with a common understanding of the needs and problems of the Spanish Surnamed American presented testimony to the Cabinet members and other top officials. Their testimony focused on solutions to the problems of this community, and many good recommendations came out of the meeting which were later translated into action within the government.

Since combating employment discrimination is a multi-faceted problem involving training, education, housing, health, and other social issues, the active participation of a Commissioner, such as Mr. Ximenes, on an interagency committee established to deal with these problems, is another important instrument to help EEOC end discriminatory practices.

Community Affirmative Action Programs

Various approaches have been utilized in an effort to convince employers of the advantages of affirmative action programs and equal employment opportunity policies.

The area or community-wide approach was proposed during the first year of Commission operation. This effort was directed at a selected highly-industrialized area with a high minority population where EEO-1 data and other statistics revealed a pattern of discriminatory employment. The objective was to mobilize all available resources--major employers, government agencies and local groups concerned with equal employment opportunity--in a concerted attack on the problem and cooperative voluntary affirmative action toward its solution. The Southwest Connecticut Project, presented to the August 17, 1966, Commissioners' meeting by Technical Assistance, was planned to include the three urban areas of Fairfield County: Stamford, Norwalk, and Bridgeport. The meeting, scheduled for September 16 at Westport, was never held. This project, to be the pilot in the area approach, "never got off the ground," for reasons of lack of personnel and, as some

felt in the Office of Technical Assistance, because of the attitude on the part of some staff members that tends to hold that "what's north is good and what's south is bad."

Another community approach developed during the first year of the Commission was directed at a specific area of a big city with pockets of high unemployment and its concomitant social unrest. The Trucking Industry Program in Chicago, begun in early 1967, can be described as such an effort. Basically, it centered around a referral system to channel Negroes into jobs, especially "over-the-road" driver jobs, in the trucking industry in the Chicago area.

This program was the result of a visit to a trucking company in St. Louis to offer technical assistance pursuant to a "no cause" finding. Later, in speaking with the company's terminal manager in Chicago, the Commission representative was urged to present the same affirmative action program to the industry, which was holding a meeting of terminal managers in Chicago the following day. Upon presentation the following day, the EEOC representative was notified that there were 1,000 jobs available.

In an effort to implement the program, the Office of Technical Assistance involved the Chicago Regional Office, state agencies, the Neighborhood Youth Corps, OEO, the NAACP, the Urban League, the Tri-Faith Employment Agency, two truck driving training schools, and a freight association. The Commission made a \$10,000 grant to the Illinois State FEPC for recruiting, screening, and referring qualified minorities for employment in Chicago's trucking industry. Subsequently, the Chicago Urban League received a \$10,000 grant from the Illinois FEPC to continue the coordination of this program.

This program, which involved notifying EEOC and the community organizations of job openings, and matching these orders with unemployed and underemployed minorities, did produce specific jobs for minority group members in Chicago. Nonetheless, the goal of filling 1,000 positions was not realized; only approximately 100 jobs were filled by minority group workers. Ultimately the program received less and less attention by EEOC until finally no attempt was made to oversee it. Expectations of expanding the program to the West Coast were abandoned.

In a bid to further its operations and usefulness, the Office of Technical Assistance, early in 1967, mailed letters to more than 250 employers and 1200 union leaders advising of Technical Assistance's role in the Commission's total program. Further, OTA participates in many union conventions and in the regular meetings of Negro organizations.

Consultation Services

The consultative role of Technical Assistance to both public and private groups seeking to advance the Commission's goal has as its main object the "penetration of the system."

When this effort is directed toward a single employer, there is certain advice that is stressed in meeting with the top executive. The representative of the Commission endeavors to have the company accomplish three primary goals: (1) communication to all employees of a clear policy statement by management affirming the company's policy on equal employment opportunity, its goals, and its hiring policy; (2) assignment of responsibility for implementing the policy to a high level employee; and (3) requirement of feedback in the form of periodic reports, at least quarterly, indicating employment figures for the various segments of the company.

The premise on which the consultative program is based is that a few prestigious leaders exert a more positive influence for the cause of equal employment opportunity than the complaint or "adversary" route.

For example, as a result of EEOC initiative, a representative of Lockheed Missiles and Space Company visited the Commission in order to obtain ideas on how Lockheed could aid in the training of the hard core unemployed in the San Jose area. Following a day-long meeting, a blueprint for training and community action was drawn up. Lockheed completed its plans, and with the assistance of EEOC, secured Federal funds for implementing its program. The company reported in a letter of May 19, 1967, that it was "handling a total of 100 hard core this year: 64 in the Vocational Improvement Program, 24 welfare recipients, and 12 under prior MDTA contracts."

In accordance with its efforts to bring the message of equal employment opportunity to all groups, the EEOC assisted in planning and structuring the program for the three-day "Consultation on Equal Opportunity in Employment," sponsored and administered by the National Council of Churches. Approximately 85 leaders from across the nation

in the fields of business, labor, education, government, community service, and church life assembled in St.

Louis in April of 1966 with the threefold purpose of:

- (1) sharing experiences, problems, and insights in respect to equal opportunity in employment;
- (2) advising the National Council of Churches with respect to the role of the churches in implementing the goal of equal employment opportunities in the national economy; and
- (3) proposing strategies for the involvement of all the forces in community life in affirmative programs fostering equal employment opportunity.

Dr. Luther Holcomb, Vice Chairman of EEOC, who made the keynote address, and other Commission staff participated. The programs which resulted from this conference did not involve a great deal of assistance from EEOC, but it was felt that advice and direct involvement in such programs was of benefit to EEOC and its goals.

During 1966, the Commission was given the platform in several forums sponsored by the Chamber of Commerce to relate to business leadership that affirmative action is good business.

Although Commissioner Jackson suggested in February 1966 that a study be made of the effectiveness of working with trade associations, cooperation was begun only with

the National Association of Manufacturers. This program was successful to the extent that it was promotional rather than substantive.

EEOC's role in the Job Fair program, basically a "hiring day," proved to be of limited significance. The purpose was to provide jobs, particularly to residents of urban slums. It involved cooperation and coordination among city administration, particularly the mayor, principal employers organizations, and civic community leaders. EEOC produced a brochure, "How to Organize a Job Fair," which listed and explained the nine steps necessary in producing a Job Fair. As of January 1968, Job Fairs had been held in 36 cities. Subsequently, the Department of Commerce assumed direction of the program and EEOC's participation was lessened considerably.

In order to reach a great number of employers, a letter, signed by Chairman Alexander, requesting information on any program instituted by the firm aimed at increasing minority utilization, was enclosed with the 1968 Employer Information Report EEO-1, sent to approximately 40,000 companies. Results of this effort were negligible.

Relations with Labor Unions

Recognizing that the American labor movement had long been committed to civil rights, the Commission sought to convert policy into practice throughout labor's ranks. Liaison with labor unions was not earnestly undertaken by the Commission until 1967 when the Office of Technical Assistance added two Labor Liaison Specialists to its staff. Although there were some misgivings expressed concerning the special union liaison staff, particularly in the sphere of divided loyalties, the necessity for staff familiar with the complexities of labor relations had become self-evident.

Prior to that time, the most significant program involving the labor unions was a series of three meetings dealing with the highly controversial subject of seniority. (It should be noted that the seniority issue was contingent on the fact that prior to the enactment of Title VII, certain jobs were classified by race and sex.) The meetings included sessions with union leaders on May 5, 1966; civil rights leaders on June 10, and management, June 30.

The first meeting had been called with 12 to 15 top union leaders in order to present to union representatives the problems facing the Commission in the area of seniority

and to ask them for their suggestions. The meeting was held as an informal conference.

At the meeting, presided over by Vice Chairman Holcomb, Labor took the overall view that giving "disadvantaged" workers, i.e., Negroes and females confined to separate seniority lines prior to July 2, 1965, an "advantage," by allowing them to transfer seniority rights in violation of a collective bargaining agreement, would be devastating to the whole civil rights movement. It was their strong feeling that interfering with seniority systems would automatically put Negroes against whites.

Civil rights groups took the view that those denied entry into certain job categories in the past should be permitted to transfer their seniority rights from the prior category. In general, industry indicated that they would accommodate themselves to the law. Subsequently, the Commission took the subject of seniority under advisement. It was the concern of Technical Assistance that the Commission not pursue the litigation route to the detriment of realistic and constructive affirmative action programs in this area.

The "Apprentice Outreach" Program, under the direction of one of the labor liaison specialists, set as its goal the recruiting and qualifying of minority youth for apprentice training. The Commission in June 1967 scored an impressive breakthrough with the Building Trades Council of Baltimore. Largely through EEOC's promotion and initiative, the Manpower Administration signed a contract on June 8, 1967, granting \$46,400 to the Urban League, which will work in cooperation with the Council. Recruitment machinery was immediately set up by LEAP (Labor Education Advancement Program) of the Urban League to enlist youth from the disadvantaged sectors of the community. Once the program was underway, the EEOC "stepped out." Progress reports on the hiring and upgrading of apprentices were submitted to the Department of Labor. This highly successful pilot program in Baltimore has served as a model for expansion to 40 other "Apprentice Outreach" Programs funded as of August 13, 1968.

The Labor Liaison Section in Technical Assistance has convened meetings of labor leaders and Commission staff in order to establish lines of communication and begin a dialogue on equal employment opportunity. One of the greatest single aids in promoting equal employment opportunity within the realm of labor is to have such good communication that when a problem arises, one party can pick up the phone to call the other. Such meetings provide an opportunity to discuss equal employment opportunities with large audiences, and more importantly, enable the Commission staff to meet union leaders in an atmosphere that lends itself to discussion of concrete programs.

The Commission held two such meetings in connection with the Summer Tension Cities Program in 1967, giving special attention to Tampa and Shreveport, two cities whose minority groups had particularly acute problems. The aim of these meetings was to develop as many equal employment opportunities as possible and establish the recruitment and training machinery to help fill those job slots. This was to be accomplished through meeting

with diverse community leaders, black and white, to discuss the problems, possible solutions, and what the particular group was prepared to do in terms of providing solutions.

The member of the Labor Liaison staff who visited Tampa felt that the program was poorly handled. After three to four visits to Tampa, the project was dropped. The end result of the visits, however, was a breakthrough in white collar employment, particularly in female, previously "all-white" jobs, such as sales clerks. At the time of his visit, a staggering 70 percent of all Negro females were unemployed or earning less than \$35 per week.

The same procedure was followed in Shreveport, although some complication arose among the Negro community which was split into conservatives, referred to as "Uncle Toms" by the rival group of militants. In spite of this, a Shreveport Council on equal employment opportunities was established and the banking industry, which was of prime importance in the city, gave notice that all jobs were open to all. This program, considered to be more successful than Tampa's, provided openings in white collar

jobs in the banking industry.

The Office of Technical Assistance instituted a series of Regional Office-AFL-CIO Trade Union Conferences. The purpose of these meetings was three fold: (1) to afford the Regional staffs the opportunity to meet labor leaders in their region and establish a list for future uses; (2) to allow the union representatives a chance to give EEOC their thinking on minority problems; and (3) to provide EEOC a chance to discuss what the unions' responsibilities are under the letter and spirit of Title VII. Five such conferences, developed with the cooperation of the AFL-CIO Civil Rights Department, have been held to date. They have attracted over 600 participants, including representatives of unions, community groups, and other Federal agencies.

A great deal of planning was required to present a conference that was relevant to the delegates and showed a unity of purpose. In the area of compliance, the delegates were informed of EEOC's policies and procedures. In turn, union leaders raised questions, presented their efforts in compliance activities, and indicated how their views differed from EEOC's, particularly with regard to

apprenticeship procedures, combining of segregated locals, and merging of seniority lines. Recordkeeping and reporting requirements under Title VII and the projected uses of EEO-2 and EEO-3 were also discussed.

Although it is difficult to measure the success of these conferences in concrete terms, they did provide a meaningful dialogue between the EEOC and union leaders.

Relations With Private Employment Agencies

The scope of EEOC's relations with private employment agencies has been limited to the Association of Personnel Agencies of New York (APANY). "A Joint Agreement to Promote Equal Employment Opportunities for Minorities Through the Services of Private Employment Agencies in New York City" was initiated by EEOC. It contained provisions calling for increased "in-house" employment of Negroes and Puerto Ricans; referrals of minorities through private agencies; educational efforts; increased communication with the minority community; and adoption of a standard reply whenever a discriminatory job order is received.

A Civil Rights Seminar and Conference, jointly sponsored by EEOC, APANY, and the State Commission of

Human Rights, was held in New York on December 9, 1967. Highlights of the seminar included instruction on techniques for interviewing minority group applicants and job order-taking techniques in dealing with companies who seek minority group applicants. If effective, this program was to be applied to private employment agencies throughout the country. The fact that it was limited to APANY did not indicate appreciable success even in New York.

The "growing pains" experienced by the Commission in attempting to establish a program of technical assistance are not likely yet outgrown. The returns on an investment like affirmative action are not easily nor rapidly accountable. But new efforts in the realm of technical assistance will undoubtedly be undertaken and proved programs continued. It is believed that the gradual shift of technical assistance programs to the field offices should increase their effectiveness over the next few years.

CHAPTER VII

CHAPTER VII
RELATIONS WITH STATE AND LOCAL
FEP AGENCIES

The Office of State and Community Affairs directs liaison between the Commission and the state and local fair employment practice agencies. It acts as an information clearing house between the Commission and the agencies to whom the Commission defers. Other offices within EEOC are also involved with state and local agencies for specific purposes, e.g., the Compliance Office deals with state and local FEP agencies in case handling and the Office of Research supplies information from the reporting system.

Data Sharing Agreements

On March 22, 1966, the Equal Employment Opportunity Commission adopted a proposal to share information from the employer report forms (EEO-1) with state and local FEP

agencies. This decision was mutually advantageous to the state and local agencies and to the EEOC. The agencies gain by having access to vital data on employers and employment patterns within their jurisdictions at no cost or work to them. For the Commission, the data sharing agreements remove any doubt as to EEOC's authority to require reports from employers in states or localities with fair employment practice laws since the agreements contain clauses barring duplicate reporting. In other words, the signing of data sharing agreements with FEP states removes the legal ambiguities raised by Section 709(d) of the 1964 Civil Rights Act.

There are currently three types of data sharing agreements. The first, a limited agreement, is the one signed by most of the participating state and local commissions. It is designed for those agencies which are unwilling or unable to adopt a regulation requiring employers subject to Title VII within their jurisdictions to file EEO-1 reports. Under this agreement, the Commission agrees to supply the agency with individual reports or groups of reports, if the demands are considered reasonable, at no cost to the requesting agency. In exchange for this

information, the contracting agency agrees not to conduct duplicate surveys among Title VII employers and agrees to protect the confidentiality of the reports. This latter condition, for which strict penalties are provided, is required by the Bureau of the Budget.

The state commissions which have signed this limited data sharing agreement are:

California Fair Employment Practice Commission
District of Columbia Commissioners' Council on Human Relations
Illinois Fair Employment Practices Commission
Indiana Civil Rights Commission
Iowa Civil Rights Commission
Maryland Commission on Interracial Problems and Relations
Michigan Civil Rights Commission
Minnesota Department of Human Rights
Nebraska Equal Employment Opportunity Commission
Nevada Commission on Equal Rights of Citizens
New Jersey Department of Law and Public Safety
New Mexico Fair Employment Practices Commission
New York Governor's Committee to Review New York Laws and Procedures in the Area of Human Rights
North Carolina Good Neighbor Council
Ohio Civil Rights Commission
Oklahoma Human Rights Commission
Rhode Island Commission Against Discrimination
Washington State Board Against Discrimination
Wisconsin Industrial Commission

In addition, numerous local FEP agencies receive information from EEOC under this limited data sharing agreement. They are the following:

Ann Arbor Human Relations Commission
Atlanta Community Relations Commission
Baltimore Community Relations Commission
Buffalo Department of Human Relations
Chicago Commission on Human Relations
Cleveland Community Relations Board
County of Los Angeles Commission on Human Rights
Dade County Equal Employment Opportunity Commission
Des Moines Commission on Human Rights
Kansas City Human Relations Commission
East Chicago Human Relations Commission
East St. Louis Human Relations Commission
Equal Rights Division of the Wisconsin Department of
Industry, Labor and Human Relations
Gary Human Relations Commission
Hartford Human Relations Commission
Louisville and Jefferson County Human Relations Commission
New York City Commission on Human Rights
Oklahoma City Community Relations Commission
Phoenix Human Relations Commission
Providence Human Relations Commission
St. Louis Council on Human Rights
St. Louis County Planning Commission
San Francisco Human Rights Commission
Syracuse and Onondaga County Human Rights Commission
Topeka Human Relations Commission
Tulsa Community Relations Commission
Pittsburgh Commission on Human Relations
Wichita Human Relations Commission
Yonkers Commission on Human Rights

The second type of agreement, considered a full agreement, is designed for agencies which enact regulations requiring employers within their jurisdiction that are subject also to the jurisdiction of the Commission to file reports with the Commission. The third type of data sharing agreement, like the second, a full agreement, is negotiated with those agencies which require filing of reports by

employers within their jurisdiction but grant exemption to those who file EEO-1 reports with the Commission. Under these two agreements, the state or local commission gets a complete set of EEO-1 reports and relevant industry and area tabulations without charge. In return, the recipient agrees not to require duplicate reporting by employers and agrees to insure the confidentiality of the information obtained.

The nine state agencies that have signed these full agreements are:

- Alaska Commission for Human Rights
- Arizona Civil Rights Commission
- Colorado Civil Rights Commission
- Kansas Commission on Civil Rights
- Kentucky Commission on Human Rights
- Missouri Commission on Human Rights
- New York State Commission for Human Rights
- Pennsylvania Human Relations Commission
- Utah Anti-Discrimination Division

Only three local agencies have signed this more extensive data sharing agreement. They are:

- Dayton Human Relations Council
- Philadelphia Commission on Human Relations
- Youngstown Fair Employment Practices Committee

The first fair employment practice agency to sign the full data sharing agreement with the Equal Employment Opportunity Commission was the Kentucky Commission on

Human Rights. To publicize the event, the Kentucky Commission was given its set of employer report forms in a ceremony on February 27, 1967.

An amendment to the EEO-1 data sharing agreements which would make available data from the EEO-2 (Joint Apprenticeship Committees) and EEO-3 (Labor organizations) is now being negotiated. The same conditions of duplication and confidentiality will apply. To date, the amendment has been executed by the Chicago Commission on Human Relations, the Illinois Fair Employment Practices Commission and the California Fair Employment Practice Commission.

Commission Funded Action Grants

The Commission disburses over half a million dollars annually to fund programs organized by state and local fair employment practice agencies. One of the purposes of the grants is to develop Federal-state-local partnership to achieve equal employment. A further goal of the Commission in funding these programs is to improve the effectiveness of state and local FEP agencies. Because the funds are limited, one of the Commission's aims is to encourage the local groups to continue, with their own resources, those programs that have been successful. The

authority for the funding of state and local affirmative action programs is supported by Sections 705(g) and 709(b) of the 1964 Civil Rights Act.

The first program funded by EEOC was the Wayne State Research Project. This program, funded just within the deadline of Fiscal Year 1966, allocated \$165,000 jointly to Wayne State University and 11 state and local FEP agencies to study patterns of discrimination in employment in certain industries. The project was developed as a result of the determination that one of the major shortcomings of state and local agencies was the dearth of affirmative action programs. In order to change this situation, the Commission decided to award research grants in areas of particular concern to the state and local agencies. The focus of the program was to develop techniques and procedures from which the existence of patterns and practices of discrimination could be determined and dealt with effectively.

To carry out the program, each state and local agency chosen was granted \$11,000 to be used to hire a skilled professional to gather the data and develop the procedures for dealing with the patterns and practices discovered. The agency was then asked to develop suggestions to bring

about a change in the industry or industries involved.

The participating agencies were chosen on the basis of a number of selected criteria. Among the most important were (1) enforcement powers in the area of equal employment opportunity; (2) a professional staff; (3) the desire of the agency to participate; (4) the quality of the proposal of the director; and (5) the location of a relatively large industry under the agency's jurisdiction.

The state and local agencies selected and their areas of concentration were as follows (the area of primary concern is listed on the first of the two lines):

District of Columbia	Banks, savings and loan companies Restaurants
Louisville	Retail trade Manufacturing
Massachusetts	Transportation Trucking
Michigan	Building trades Hospitals
Missouri	Hotels, motels, restaurants Public utilities
New Jersey	Public utilities Hotels, motels, restaurants
Ohio	Manufacturing Insurance

Philadelphia	Hospitals Insurance
New York City	Retail trade Building trades and construction
Wisconsin	Breweries Manufacturing
California	Employment testing

Three basic criteria were used for selecting the industries: (1) the industry was either stable or expanding in size; (2) it had a heterogeneous occupational structure allowing for a wide range of occupational levels; and (3) it was located in communities where there was a sizeable Negro and nonwhite population.

The information gathered by the 11 state and local agencies was compiled in a report by Dr. Frank Cousens under the auspices of the Institute of Labor and Industrial Relations, at Wayne State University. The report⁶² was submitted to the Equal Employment Opportunity Commission in September, 1966, 13 months after the study was begun.

⁶² Institute of Labor and Industrial Relations, "A Study of Patterns of Discrimination in Employment for the Equal Employment Opportunity Commission, Washington, D.C.," Ann Arbor, 1966. (Mimeographed.)

During the project, 770 interviews were conducted involving 553 companies. These companies accounted for 386,000 employees. The results of the data compiled from the interviews were not surprising; it revealed poor patterns of utilization of Negroes and other nonwhites relative to the size of the nonwhite manpower pool. Of the employers interviewed, 503, or 91 percent, said that they were not planning to make any changes in their employment practices. The data also revealed that the employers had limited knowledge of the public FEP agency. About 50 percent did not even know that such an agency existed in their state or locale.

The report listed a number of recommendations that would make research projects more complete. The major recommendations included soliciting the help of public organizations; using experienced interviewers; getting more complete statistical data; and eliciting the views of the minority groups in the areas about the FEP agency.

At the completion of the Wayne State Project the Commission decided to do six follow-up studies. These studies were to serve as pilot projects to develop

affirmative action techniques, and to test the validity of the findings in the retail and hospital studies by comparing them with studies to be done in different geographical areas.

To undertake these studies, three of the strongest and oldest of the FEP agencies were chosen to work under the aegis of Dr. Cousens of Wayne State. The agencies selected and their assignments were:

- | | |
|--------------|--|
| New Jersey | (a) Affirmative action program pursuant to its study of the utility industry |
| | (b) Study of employment patterns among the New Jersey hospitals |
| Michigan | (a) Affirmative action program pursuant to its study of the construction trades |
| | (b) An action program among Detroit hospitals |
| Philadelphia | (a) Affirmative action program pursuant to its study of employment patterns in the hospitals |
| | (b) Study of employment patterns in retail stores |

Although the projects were competently conducted, the results of both the action programs and the research studies were disappointing. The studies did not reveal

any new information on minority employment patterns and the affirmative action programs did not result in the job placement of any minority group members. The Commission believed that there were several factors responsible for the failure of the projects to produce tangible results. Among them were the insufficient amount of money allocated, an element of "stodginess" among the more established FEP agencies, and administration of the projects by a third party (Wayne State University) rather than directly by the Commission.

The Fiscal Year 1966 grant programs to the state and local FEP agencies had, for the most, been research-oriented. The Commission decided that the 1967 programs would have more immediate effect if they were action-oriented. Thus, the programs funded for Fiscal Year 1967 were those which encompassed at least one of the two following goals: strengthening the compliance and enforcement procedures of the local or state equal employment practices agency; and/or dealing in affirmative action programs with employers to increase the number of minority group members hired.

Altogether, the EEOC funded 39 affirmative action

programs in 23 states. The amount of money granted was \$502,981. Although major emphasis was centered on placing Negro workers, four projects were designed to cover the Spanish Surnamed Americans and two were set up to aid the American Indian.

The programs have been quite successful in their immediate aim of placing minority group members in jobs. At the conclusion of the projects in June 1968, 7,548 job placements had been made. In addition, 2,391 summer placements were made. The average total cost per placement was \$218 which compares favorably with any existing government effort.

Among the most successful programs have been those conducted in Dade County, Florida; Hartford; Gary; Oregon; and New York. In Dade County an Equal Employment Opportunity Task Force has set up numerous programs to interview and counsel job applicants and to steer them to job openings. The Task Force was responsible for approximately 800 placements. In Hartford, "Project Search," as it is known, placed 449 workers from minority groups. The project in Gary, Indiana, has resulted in the placement of 683 Negro women in white collar positions from which they were

previously excluded. In the Oregon project, 430 minority group members have been placed in positions, and 602 minority workers have been placed in retail operations in New York City. Of the 7,548 workers placed, 6,549 were Negroes, 706 were Spanish Surnamed Americans, 213 were American Indians, 55 were Orientals, and 115 were grouped as "others."

Despite these successes, there are areas in which the affirmative action programs have been weak. Too little has been accomplished in terms of permanent institutional change either on the part of employers or on the part of state or local government agencies involved. Despite immediate gains in the placement of minority group members, permanent institutional changes will be necessary to insure long-term changes in employment patterns. Other more specific problems resulted from the failure of the EEOC to provide guidance and training to those who were implementing the projects.

The grants for Fiscal Year 1968 which the Commission has awarded to the local and state FEP agencies are also action-oriented; however, they are somewhat different in design from those of the preceding year. The primary aim

of the 1968 program is to identify and eliminate discrimination in employment on a systematic, affirmative basis, by using, to the fullest extent, the compliance provisions of the Federal, state, and local laws. The project, entitled "Elimination of Discrimination by Affirmative Government Action," will focus on individual establishments since that is how hiring is most often done. The goal will be the new hiring of minority group members; promotion will not be a concern of this particular project.

The following 41 state and local agencies were awarded grants totaling \$700,000:

Alaska State Commission for Human Rights
Arizona Civil Rights Commission
Citizens Interracial Committee of San Diego
Colorado Civil Rights Commission
Connecticut Commission on Human Rights and Opportunities
Hartford Human Relations Commission
Dade County Equal Employment Opportunity Commission
Community Relations Commission of Atlanta
East St. Louis Human Relations Commission
East Chicago Human Relations Commission
Gary Human Relations Commission
Indiana State Civil Rights Commission
Iowa Civil Rights Commission
Wichita Office of Human Resources Development
Kansas Commission on Civil Rights
Kentucky Commission on Human Rights
Louisville and Jefferson County Human Relations
Commission
Baltimore Community Relations Commission
Massachusetts Commission Against Discrimination
Minnesota Department of Human Rights

City of St. Louis Council on Human Relations
Nebraska Equal Employment Opportunity Commission
New Jersey Division on Civil Rights, Department of
Law and Public Safety
New Mexico Fair Employment Practice Commission
New York State Commission on Human Rights
Yonkers Human Rights Commission
Oklahoma Human Rights Commission
Oklahoma City Community Relations Commission
Cleveland Community Relations Board
Dayton Human Relations Council
Youngstown Fair Employment Practice Committee
Philadelphia Commission on Human Relations
Pittsburgh Commission on Human Relations
Rhode Island Commission Against Discrimination
Human Relations Commission of Providence
Anti-Discrimination Division of Utah Industrial
Commission
Washington State Board Against Discrimination
Wisconsin Equal Rights Division
D.C. Commissioner's Council on Human Relations

The programs will work in the following manner. The project director will make use of the EEO-1 data for his jurisdiction to identify 50 employers, designating 25 as target employers and 25 as alternates. After approval of the selection by EEOC, the local or state agency will try to work out an arrangement with each company in which the employer agrees to undertake certain affirmative actions, particularly in the way of advertising job opportunities through minority organizations, newspapers, churches and other means. If the employer refuses to agree to take affirmative action to hire minorities, then the

local or state agency will use its compliance powers to institute formal proceedings against the company pursuant to state or local law or Title VII of the 1964 Civil Rights Act. Since this program is just being instituted, no evaluation of its effectiveness is yet possible.⁶³

To help insure the success of the Fiscal Year 1968 grant program, EEOC conducted training programs for the project directors. The first session was held in Portland, Oregon, on July 11, 1968. Other two-day training sessions to acquaint the project directors with the use of data from the EEO-1 forms, and with investigating and conciliating procedures to be used in carrying out the grant project were held in San Francisco, Kansas City, Cleveland, and New York City.

Other Contacts

In addition to the data sharing agreements and the grant programs, the Office of State and Community Affairs maintains contact with state and local FEP agencies through

⁶³For details of the program, see U.S., Equal Employment Opportunity Commission, "Elimination of Discrimination by Affirmative Government Action," Project outline for Fiscal Year 1968 by the Office of State and Community Affairs, July, 1968. (Mimeographed.)

the holding of or attendance at conferences with the directors of the agencies in different parts of the country. To date, three such conferences have been held. The first of these, the Northeast Regional Conference, was held in March 1966, in Providence, Rhode Island. It was set up jointly by EEOC and the Rhode Island Commission Against Discrimination and was devoted to discussing problems of mutual concern to the various fair employment practice organizations. The second meeting, held in Estes Park, Colorado, in June of 1966, was sponsored by the Conference of Commissions on Human Rights. The final conference, held on May 25-26, 1967, at the Fair Lane Conference Center at the University of Michigan, was sponsored by the Institute of Labor and Industrial Relations of Michigan and Wayne State University in cooperation with the Commission. Entitled "Promise vs. Performance in Public Civil Rights Agencies," the conference was called to discuss the effectiveness of the public civil rights agencies' programs and orientations. There was general agreement on the need for change and more affirmative action among the Nation's FEP agencies.

As described earlier, the Commission also maintains

contact with the state and local agencies through its field offices.

CHAPTER VIII

CHAPTER VIII

RELATIONS WITH OTHER FEDERAL AGENCIES

The Equal Employment Opportunity Commission coordinates its activities with other agencies of the Federal Government on three levels: relations with the Government's administrative agencies, such as General Services Administration and the Civil Service Commission; liaison with other agencies involved in civil rights and employment opportunity activities such as the Justice Department and Department of Labor; and coordination between the Commission's Regional Offices and other local Federal offices.

The Office of Liaison of the Equal Employment Opportunity Commission was initially charged with responsibility for Federal liaison. Although this responsibility was officially removed from the Office of Liaison in May 1968 and its name changed to Office of State and Community Affairs, the actual change took place almost a year earlier.

These changes were brought about because many offices within the Commission were developing their own informal working relationships with offices in other Federal agencies.

The Office of Liaison attempted throughout the first year of the Commission's operation to centralize arrangements with other agencies. In November 1965, the Office developed guidelines for Federal relations. The guidelines, however, were not adopted by the Commission. This and other attempts at centralization failed because many of the departments preferred direct contact. As a result, most of the Commission's relations with other Federal agencies are conducted on an informal basis.

The Commission's most frequent liaison with other Federal departments concerns joint jurisdiction of employment discrimination cases. The most usual occurrences of overlapping jurisdiction are with National Labor Relations Board; Office of Federal Contract Compliance and Bureau of Apprenticeship and Training in the Department of Labor; and

the Predominant Interest Agencies. Cooperation with these agencies in the processing of complaints is necessary to avoid duplication of investigative efforts.

Labor Department

Relations between the Equal Employment Opportunity Commission and various functional areas of the Department of Labor have been quite extensive. Existing civil rights statutes make cooperation necessary because of overlapping interests in apprenticeship and training, state employment services, and equal pay.

Plans for Progress (PPP) was originally established by the President's Committee on Equal Employment Opportunity. PPP is composed of large corporations which have volunteered to take affirmative action in the area of equal employment opportunity, and receives financial support--currently \$200,000--from the Department of Labor. These funds are used to pay clerical help, office and travel expenses; but the salaries of the staff members are paid by the respective companies from which they come. The Commission works with PPP on the Joint Reporting Committee which was previously discussed.

The Office of Federal Contract Compliance (OFCC) was established by the Department of Labor pursuant to Executive Order 11246 which abolished the President's Committee on Equal Employment Opportunity and detailed its functions concerning government contractors to the Depart-

ment of Labor. The Order requires nondiscrimination and affirmative action by government contractors and sub-contractors and directs contractors to file compliance reports with the Secretary of Labor. It also permits the Secretary of Labor, if he finds a violation, to "recommend to the Equal Employment Opportunity Commission or the Department of Justice that appropriate proceedings be instituted under Title VII of the Civil Rights Act of 1964 (Section 209(a)(3))."

The OFCC and the EEOC work together in several important areas. One is the Joint Reporting Committee through which the EEOC has access to annual forms filed with OFCC by government contractors. In another area, the Commission's Office of Compliance works with OFCC in cases of joint jurisdiction. In these cases, OFCC is forwarded copies of cause decisions; when conciliation fails, OFCC is given the name of the respondent employer.

Section 711(a) requires those employers covered by Title VII to post in a conspicuous place a Commission notice setting forth the pertinent provisions of Title VII. During the first year, employers under the jurisdiction of Title VII who were also government contractors were required

to post both the Commission poster and the one prepared by the then President's Committee. For the year commencing July 2, 1966, a joint poster was approved by the Commission and the OFCC. Since that date, government contractors have been required to post only one notice.

The Equal Employment Opportunity Commission has worked with the Manpower Development and Training Administration (MDTA) and the Bureau of Apprenticeship and Training (BAT) on the development of a number of programs. In most cases, the Manpower Administration provided the funds and EEOC, the coordination. The Commission worked with BAT in setting up the EEO-2 reporting and recordkeeping systems which deal with joint labor-management apprenticeship programs.

The Commission has also worked with the Bureau of Employment Security (BES) in the Department of Labor in cases dealing with public employment agencies that come under the jurisdiction of Title VII. BES has directed state employment services to allow EEOC to inspect their records.

The Wage, Hour and Public Contracts Division of the Department of Labor is responsible for administering the Equal Pay Act of 1963 and thus shares jurisdiction with the Commission in a number of cases dealing with discrimina-

tion against women in employment. In cases where there is overlapping jurisdiction, the Commission refers the cases to the Wage, Hour Division.

Justice Department

The Commission works with the Justice Department in carrying out the intent of Title VII. Pursuant to Section 707 of the Civil Rights Act, the Commission can recommend cases to the Attorney General for suit in Federal court. To facilitate this process, a new interagency system was adopted during 1968. Under this system, cases in which conciliation has failed are discussed at the staff level with representatives of the Justice Department, and the Department is given the files of those cases it selects. This working arrangement supersedes the previous method of referral whereby only certain cases were selected by the General Counsel, approved by the Commission, and then transmitted to Justice by formal memoranda.

A second working relationship with Justice is occasioned by the desirability of collaborating where it becomes necessary for the Commission to appear as amicus curiae in actions brought by private persons. In a few cases Justice and the Commission have prepared briefs jointly and appeared

together. By and large however, Justice maintains that EEOC does not have the right to litigate and that all litigation under Title VII should be the responsibility of the Department. On the other hand, because most of the defenses in these cases have been based upon procedural grounds which directly affect the operations of the Commission and because substantive decisions significantly affect the Commission's work, EEOC has felt compelled to enter such litigation.

Finally, the Commission works with the Community Relations Service (CRS) which has recently become part of the Justice Department. CRS, established by Title X of the 1964 Civil Rights Act, acts as a conciliatory body in areas of difficulties relating to discriminatory practices. It has been helpful to the Commission in difficult situations in local areas, such as in Gary, Indiana.

National Labor Relations Board

Since its inception, the Commission has had excellent working relations with the National Labor Relations Board

(NLRB). These arrangements have not been formalized as NLRB prefers to work on an informal basis. One of the major reasons for this good working relationship is the NLRB's vigorous stand against racial segregation and discrimination by unions.

Cooperation has been carried out with NLRB in several areas. EEOC and NLRB exchange information and allow easy access to files. The Commission's General Counsel works with NLRB on cases where there is overlapping jurisdiction and on mutual case referrals.

In addition, the NLRB has, from the beginning, loaned personnel to the Commission. In Fiscal Year 1966, NLRB loaned five investigators, seven, in 1967; and 20, in 1968.

Others

There have been more limited relations with other agencies. These include the Small Business Administration, Federal Mediation and Conciliation Service, Commission on Civil Rights, Office of Economic Opportunity, Department of Defense, Federal Power Commission, and the Department of Health, Education and Welfare.

CHAPTER IX

EVOLVEMENT OF THE LAW OF
DISCRIMINATION

Pursuant to Section 713 of Title VII, provisions were made in the Commission Rules and Regulations for the interpretation of the law by the Commission (29 CFR Sec. 1601, Subpart D). The Regulations defined "a written interpretation or opinion of the Commission" within the meaning of Section 713 of Title VII to be:

"Only (a) a letter entitled 'opinion letter' and signed by the General Counsel on behalf of the Commission or (b) matter published and so designated in the Federal Register..."

The two forms that the Commission has used as instruments of interpretation are Guidelines and Opinion Letters.

Guidelines

To clarify broad issues concerning the meaning of various sections of Title VII of the 1964 Civil Rights Act, the Commission promulgates interpretative rulings called guidelines. These guidelines published in the Federal Register

represent the Commission's official thinking on a particular subject and, as part of the procedural regulations of the Commission, are binding upon those covered by the Act. To date, guidelines have been issued on discriminatory employment practices concerning sex, religion, and testing.

Very early in its history, the Commission found reason to believe that the use and administration of a variety of ability and aptitude tests had, in several instances, contributed to the maintenance of racially discriminatory employment patterns.

Sections 703 and 704 of Title VII of the Civil Rights Act of 1964 prohibit discrimination in employment based on race, color, religion, sex, or national origin. Section 703(h), known as the Tower Amendment, in relevant part provides:

"...nor shall it be an unlawful employment practice for an employer to give and to act upon the results of any professionally developed ability test provided that such test, its administration or action upon the results, is not designed, intended, or used to discriminate because of race, color, religion, sex, or national origin."

"Testing of Minority Group Applicants for Employment," a report prepared in March 1966 by the Office of Research, set forth the basic issue regarding testing: "whether the

use of general intelligence tests by employers as selection devices for hiring and promotion deprives Negroes and members of other minority groups of equal employment opportunity."⁶⁴ The study pointed out that, on the average, individuals from culturally disadvantaged backgrounds perform less well on tests of general intelligence, particularly paper and pencil tests, than do applicants from middle class environments. The question then became whether some of the "professionally developed ability tests" used by employers inadvertently resulted in discriminatory practices.

With the issue set forth, the Commission decided to convene a meeting of psychologists and testing experts of broad experience from a variety of backgrounds "in an effort to provide workable standards by which current users of tests can secure guidance concerning the development of use of tests within the framework of Title VII." Accordingly on May 17, 1966, four leading authorities in the field, along with members of the Commission, attended the working session on testing.

⁶⁴U.S., Equal Employment Opportunity Commission, "Testing of Minority Applicants for Employment," Washington, D.C., 1966. (Typewritten.)

In a meeting on August 24, 1966, the Commissioners approved, with minor changes, the Guidelines on Employment Testing Procedures, that had been compiled with the cooperation of the panel of experts. The Guidelines were published,⁶⁵ accompanied by a statement, as well as a list of the participants of the Ad Hoc Panel on Testing. Although Public Affairs issued a news release on the Guidelines, they were never published in the Federal Register.

Nonetheless, these Guidelines sparked considerable public interest, as reflected in the distribution of approximately 75,000 copies to employers, trade associations, professional psychologists, and Federal agencies. Designed to help employers establish objective standards for selection screening and promotion of workers, they call for the use of a total personnel assessment system, with special emphasis on job analysis, recruitment, screening and interviewing related to job requirements, and test selection on the basis of job-related criteria. They also call for retesting when those who have failed gain more experience or training.

⁶⁵U.S., Equal Employment Opportunity Commission, Guidelines on Employment Testing Procedures (Washington, D.C.: Government Printing Office, 1967).

On July 10, 1967, the revised Guidelines on Discrimination because of Religion: Observance of the Sabbath and Other Religious Holidays (29 CFR Sec. 1605.1) became effective. These Guidelines set forth the Commission's belief "that the duty not to discriminate on religious grounds, required by Section 703(a)(1) of the Civil Rights Act of 1964, includes an obligation on the part of the employer to make reasonable accommodations to the religious needs of employees and prospective employees where such accommodations can be made without undue hardship on the conduct of the employer's business."

The Commission's original religious guidelines, issued in June 1966, provided that "an employer is free under Title VII to establish a normal workweek generally applicable to all employees, notwithstanding that this schedule may not operate with uniformity in its effect upon the religious observances of his employees."

This provision drew considerable criticism from Jewish organizations and leaders throughout the country, including Rabbi Meyer Cohen of the Union of Orthodox Rabbis of the United States and Canada, Julian J. Landau, President of the Council of Orthodox Synagogues of Greater Washington and

Mr. Joseph Karasick, Vice President, Union of Orthodox Jewish Congregations of America. Their objections to the Guidelines stemmed from the belief that Biblical law requires all Jews to "Observe the Sabbath Day to Keep It Holy" and to refrain from engaging in any secular work on the Sabbath. The cornerstone of Judaism, and its observance, furthermore, is essential to the preservation of the Jewish people.

In a telegram of July 5, 1966, Rabbi Cohen asked Commissioner Holcomb to meet soon with a committee of Orthodox Jewish organizations to afford them the opportunity to present their opinions. The following day, Dr. Holcomb sent Rabbi Cohen a copy of the Guidelines, requesting suggestions, in exact terms, as to how they should be revised. In response to Mr. Landau's letter of July 28, Dr. Holcomb set up an appointment to discuss the Guidelines.

On October 18, 1966, following an August meeting in New York City with representatives of the protesting groups, and further correspondence and telephone conversations, Dr. Holcomb sent Mr. Landau and Rabbi Cohen two drafts of proposed Guidelines for their comments, requesting that no publicity be allowed. The lawyers to whom each group had submitted the drafts differed on their choice of drafts.

Another statement which the Commission proposed to release as an official Guideline on Religion was sent to Rabbi Cohen and Mr. Landau on January 17, 1967, with the assurance that there would be no release until Dr. Holcomb had heard from them. Subsequently on March 29, the Commission met with Mr. Landau and Rabbi Cohen's designated representative, Rabbi David Hollander, President of the Metropolitan Board of Orthodox Rabbis, New York.

Following this conference, new guideline proposals were sent on April 10 to the parties involved. Upon agreement of all parties these proposals finally were adopted and published in the Federal Register on May 10 as the Commission's revised Guidelines on Discrimination because of Religion.

The necessity for guidelines on the various issues regarding equal employment for women became apparent in the early stages of the Commission's operation. During the first few months, questions were raised concerning the definition of "bona fide occupational qualification" and the effect of Title VII on state protective laws and on pension plans. Subsequently, problems occurred over equal pay, married women, seniority systems, preemployment inquiries, the role of employment agencies, and job advertising as they pertained to

employment discrimination because of sex. To define Commission thinking on these issues, Guidelines on Discrimination Because of Sex were promulgated on November 22, 1965. Thereafter, additional guidelines were adopted and amendments made in the original ones. Several of the issues proved so controversial that the Commission held hearings to allow opposing factions to present their views.

In interpreting the scope and application of Title VII's prohibition on discrimination in employment on the basis of sex, the Commission initially proceeded with caution, particularly in view of the paucity of relevant legislative history revealing the intent of Congress in this area. In an introduction to the text of the Guidelines released to the press, the Commission noted that the "Guidelines are an effort to temper the bare language of the statute with common sense and a sympathetic understanding of the position and needs of women workers."

Title VII allows employers to refuse to hire women only if there are legitimate bona fide occupational qualifications to exclude women from those positions. The Equal Employment Opportunity Commission, in the Guidelines issued on November 22, 1965, has interpreted this exception narrowly. The Guidelines

state the Commission's position that the bona fide occupational qualification exception will not be allowed on the bases of assumptions of employment characteristics in general or stereotyped images of the sexes (29 CFR Sec. 1604.1).

One issue that has been presented to the Commission as a result of these Guidelines was the question of whether sex was a bona fide occupational qualification for the position of flight cabin attendant. The question arose as a result of charges that airlines discriminate on the basis of sex in their employment of flight cabin attendants by requiring the resignation of stewardesses who marry or attain a certain age. The airlines requested a determination as to whether sex is a bona fide occupational qualification for the position of airline stewardess. A hearing was held on May 10, 1966, to allow the concerned parties to present their views. However, the Commission was enjoined from issuing a decision by the Federal District Court for the District of Columbia because one of the Commission members had been a participant in the National Organization for Women (NOW) which had earlier issued a resolution dealing with flight cabin attendants. A second hearing was held on September 12, 1967. Following this hearing, the Commission announced its opinion on February 21, 1968,

that sex was not a bona fide occupational qualification for the position of flight cabin attendant. The opinion was adopted by a 3-1 vote, with Chairman Alexander and Commissioners Jackson and Ximenes voting in the affirmative and Vice Chairman Holcomb dissenting. This notice was published in the Federal Register on February 24, 1968. By declaring that sex is not a bona fide occupational qualification, the Commission in effect held that airlines must consider male applicants and may not discharge females when they marry or reach certain ages unless male employees are subject to the same terms of employment.

In the Guidelines promulgated on November 22, 1965, the Commission also held that it would be discriminatory to classify jobs as "male" or "female" or as "light" or "heavy" or to have separate seniority lists if these were done to adversely affect any employee (29 CFR Sec. 1604.2).

The Commission also determined that failure to hire or to promote women solely because they are married was a violation of Title VII unless men were also subject to the same regulations (29 CFR Sec. 1604.3).

The initial Commission Guidelines covering job opportunities advertising (29 CFR Sec. 1604.4) stipulated that such

advertising could not indicate a preference based on sex unless a bona fide occupational qualification made it lawful to specify male or female. However, the Commission did permit the use of columns classified "Jobs of Interest-Male" or "Jobs of Interest-Female" if the advertiser specified that the position was open to members of both sexes and if the newspaper carried a statement in the classified section to the effect that these listings were not intended to exclude applications from persons of the other sex.

After opposition by the newspapers, the Commission adopted a new policy at its meeting on March 24, 1966, which removed the newspaper publishers from obligation for headings and placed the burden for discriminatory advertising on the employer. At the Commission meeting on April 19, 1966, however, it was discovered that this recently adopted policy had not been published in the Federal Register. After being rewritten, the revised Guideline was inserted in the Federal Register on April 28, 1966. It removed responsibility from the publisher and permitted advertisers to use headings to indicate that some occupations are considered more attractive to persons of one sex than the other. This decision was made to accommodate readers of large metropolitan newspapers and

was an attempt to harmonize existing advertising practices with the requisites of Title VII.

Subsequently, the Commission was petitioned to narrow its April 28, 1966, interpretation to make it an unlawful practice for an employer to advertise job opportunities in columns headed "Male" or "Female." Hearings, held in May 1967, disclosed that newspapers generally opposed merging of the classifieds on grounds that it would inconvenience the job hunter and make more difficult a firm's search for employees best suited for a particular job. However, on August 6, 1968, the Commission ruled, in a 3-2 decision, that it would be a violation of Title VII to place job advertisements under separate "Male" and "Female" column headings. This ruling, to become effective on December 1, 1968, reflects the Commission's judgment that the prior placement of advertisements has had a discriminatory effect by indicating an employer preference and by discouraging, for example, the qualified woman jobseeker from pursuing employment opportunities listed in the "Help-Wanted, Male" columns.

According to the Guidelines, employment agencies cannot deal exclusively with one sex unless sex is a bona fide occupational qualification for the jobs which they seek to

fill. Nor can the agencies fill discriminatory job orders without being in violation of the law (29 CFR Sec. 1604.5).

Because the question was raised as to whether an application could call for "male" and "female" or "Mr., Mrs., Miss" designations, the Commission ruled that such inquiries are within the law if they are made in good faith for a nondiscriminatory purpose (29 CFR Sec. 1604.6).

Because of the possibilities of conflicting interpretations of Title VII and the Equal Pay Act by their respective administering agencies, the Commission stated that it would apply the relevant interpretations of the Labor Department's Wage, Hour and Public Contracts Division to equal pay complaints filed under Title VII (29 CFR Sec. 1604.7).

An issue which has confronted the Commission since its beginning is the conflict between the requirements of state protective legislation for women and Title VII. The areas of protection which are of primary concern to the Commission involve maximum hours, nightwork, employment before and after childbirth, occupational qualifications, and weightlifting. In its original Guidelines, the Commission stated that an employer would not be engaging in discrimination because of sex if he was in good faith adhering to restrictions imposed

by state protective legislation (29 CFR Sec. 1604.1). However, the Commission also called for state and/or Congressional action to rescind outdated state protective legislation. The Commission policy with respect to the processing of cases involving state protective legislation, adopted August 19, 1966, stated that EEOC would not make determinations on the merits in cases which presented a conflict between the Title VII and state protective legislation.

The issue was again raised in the hearings held on May 2-3, 1967. Pursuant to the hearings, the Commission, on February 21, 1968, rescinded the August 19, 1966, policy statement and gave notice that in cases where the effect of state protective legislation appears to be discriminatory rather than protective, the Commission would decide whether that legislation is superseded by Title VII.

Another problem discussed at the May 1967 hearings was that of discriminatory pension and retirement plans. Charges and inquiries filed with the Commission had alleged differentials concerning earlier optional and compulsory retirement ages for women, more advantageous resting periods for women, and smaller benefits for survivors of female employees.

Following the hearing, the Commission unanimously adopted a

new guideline which dealt with pension and retirement plans. The Guideline, announced on February 23, 1968, to become effective on July 1, 1968, declared that differences in optional or compulsory retirement ages based on sex violate Title VII (29 CFR Sec. 1604.31). On June 27, the effective date was postponed to October 1, 1968. Other differences based on sex, such as survivor benefits in employee pension plans, were to be ruled on by the Commission in individual cases raising such questions.

Reaction among some Congressmen to the new pension Guideline was negative. As previously indicated, a legislative rider to reverse the Commission died as a result of Congressional adjournment.

Opinion Letters

The Commission's Regulations provide that "any person desiring a written interpretation or opinion from the Commission may make a request therefor" (29 CFR Sec. 1601, Subpart D). The request must be in writing, signed by the person making the request, and contain the following:

- (a) The names and addresses of the person making the request and of other interested parties.
- (b) A statement of all known relevant facts.
- (c) A statement of reasons why the interpretation or opinion should be issued.

As discussed earlier, the number of requests for interpretations in the beginning was extremely high. As the meaning of Title VII has become better defined by the courts, Commission decisions, and guidelines, these requests have tapered off considerably.

During the Commission's first year, the Office of the General Counsel issued periodic "Digests of Legal Interpretation," adopted by the Commission. The quarterly issues were cumulated in an annual digest.⁶⁶ These interpretations included those given in response to letters of inquiry addressed to the Commission by interested members of the public, or in response to questions posed by the Commission to its General Counsel, Charles T. Duncan.

⁶⁶U.S., Equal Employment Opportunity Commission, "First Annual Digest of Legal Interpretation, July 2, 1965 through July 1, 1966," Washington, D. C., 1966. (Mimeographed.)

In July 1966, the Commission authorized the General Counsel to release Opinion Letters with the stipulation that "where policy is in question he shall review the opinion with the Commission before release." Although the full texts of significant Opinion Letters and legal memoranda were to be made available regularly to commercial law reporting services on a monthly basis, this service was discontinued after approximately six months.

Commission Decisions

The definition of discrimination under Title VII is being shaped and refined through an increasing number of Commission decisions. This emerging body of administrative precedent is gradually being established through the Commission's findings of reasonable cause.

The very existence of a Commission's "cause" decision has a long-range effect in eliminating institutionalized

discrimination. Apart from the weight to be given Commission decisions in court actions under Title VII, the dissemination to the employment community of key Commission decisions--each defining specific manifestations of discriminatory employment practices in violation of the law--could prevent adoption or continuation of such practices by employers, unions or employment agencies themselves not direct parties to the compliance process which generated the decisions.

Until recently a common definition of discrimination under Title VII has been assumed. Under the traditional meaning, discrimination must be one of intent in the state of mind of the actor. Upon examination of the emerging EEOC case law, one finds that, unlike state FEP agencies which continue to rely on intent, the Commission has begun to rely on the constructive proof of discrimination.

The Commission has reasoned that it is an unlawful practice to fail or refuse to hire, to discharge, or to compensate unevenly, or to limit, segregate and classify employees on criteria which prove to have a demonstrable racial effect without clear and convincing business motive. This approach would seem to disregard intent as crucial to the finding of an unlawful employment practice.

When the word "intentionally" was added by the Mansfield-Dirksen compromise package, the then Senator Humphrey accepted this amendment to 706(g) as being without substantive change. However, the courts cannot assume as a matter of statutory construction that Congress meant to accomplish an empty act by the amendment. When this application is made in a given case, then the Commission and the courts will be in disagreement as to the basis on which they find an unlawful employment practice. Eventually this will call for reconsideration of the amendment by Congress or the reconsideration of its interpretation by the Commission.

The question of seniority has been a very troublesome one for the Commission. In various Commission decisions certain broad principles have been articulated which are applicable to a determination of whether a seniority system meets the requirements of Section 703(h):

- (1) A seniority system which has the intent or effect of perpetuating past discrimination is not a bona fide seniority system within the meaning of Section 703(h) of Title VII.
- (2) The fact that a seniority system is the product of collective bargaining does not compel the conclusion that it is a bona fide system.

- (3) Seniority systems adopted prior to July 2, 1965 (the effective date of the Act) may be found to be discriminatory where the evidence shows that such systems are rooted in practices of discrimination and have the present effect of denying classes of persons protected by the statute equal employment opportunities.
- (4) No seniority system, whether based on plant-wide, departmental, on-the-job seniority, or otherwise is, per se, lawful or unlawful under the Act. The critical factor in analyzing a particular system is the effect of such a system upon the competitive opportunities of employees. Accordingly, the question of whether any given seniority system conforms to the requirements of the Act will be resolved in light of the particular facts and circumstances of the case in which the issue arises.

Another troublesome area is that of the relationship between Title VII and state laws. The legislative history is silent as to whether Title VII supersedes state protective legislation that distinguishes employees on the basis of sex. The Commission at first declined to decide cases involving such a conflict and instead directed the aggrieved party to seek a judicial remedy. After hearings held on May 2-3, 1967, however, the Commission gave notice on February 21, 1968, that in cases where the effect of state protective legislation appears to be discriminatory rather than protective, the Commission would decide whether that legislation is superseded by the Act. Congress has recognized the legitimacy of

competing interests that supported classifying some jobs on the basis of sex. The problem the Commission faces is the reconciliation of these legitimate, but conflicting purposes.

The most frequent issue raised by cases charging religious discrimination is the problem of time off for religious observance. The Commission had previously determined that Title VII requires an employer to accommodate to the reasonable needs of employees where such accommodations can be made without serious inconvenience to the normal conduct of business. In applying this view, the Commission ruled that an employer may permit absences from work on religious holidays, with or without pay, but must treat all religions with substantial uniformity in this respect.

Although the Commission has received only a few complaints charging discrimination on the basis of national origin, it has made one significant interpretation of the law. The Commission has decided that Title VII does apply to aliens who reside in the United States, but does not extend to non-resident aliens who commute to the Country for day-to-day labor.

Case Law Development

Since the Commission's inception, the Office of the

General Counsel has been involved in litigation to define the law of equal employment. Pursuant to this, there have been two major areas of activity. First, a substantial amount of litigation in which the Commission has participated concerns the extent to which the administrative process affects the right of private action under Section 706(e). The second major area involves giving content to the word "discrimination" in the particular facts and circumstances of individual cases, and the articulation of some generally applicable principles by which the Commission, the courts and the public can be guided.

After two years of litigation involving the relationship between the administrative process and the private right to sue, the general framework of the statutory scheme for the enforcement of rights created by Title VII is beginning to take shape. It is becoming clear that, although the Commission lacks the authority to initiate suit to compel compliance with Sections 703 and 704, the administrative process has a significant impact upon the rights of the charging party and the respondent when litigation ensues under Section 706(e). Similarly, the outcome of private litigation may have a direct bearing on the way the Commission

conducts its activities and upon the likelihood of achieving voluntary compliance with the statute through conciliation.

Although the procedure established by Title VII for handling claims of discrimination is clearly set forth, when litigation may take place continues to be a matter of some dispute, which will be discussed in detail below. The view of the Commission, which, in almost all cases, has been adopted by the courts, is where the charging party has filed a valid charge, litigation may occur within 30 days of receipt by the charging party of notice of his right to bring suit upon any of the following contingencies: (1) a finding by the Commission that reasonable cause does not exist to believe that a violation has occurred, (2) following a failure of conciliation, (3) where, pursuant to 29 CFR 1601.25, a party to the proceeding, upon the expiration of 60 days following the filing of the charge, requests and receives from the Commission notice of his right to sue.

As to who may file a charge, Section 706(a) provides that a charge of discrimination may be filed by a "person claiming to be aggrieved." The statute does not, however, define the term "aggrieved," and, as a result, this has become an area of litigation. The first case in which this question

was directly presented to a court was in Chemical Workers vs. Planters Manufacturing Co., 259 F.Supp. 365 (USDC, ND Miss., 1966). The Court adopted the Commission's interpretation of the statute holding that a labor union representing the alleged discriminator's employees was a person "aggrieved" under the Act. The effect of the Court's decision was to confirm the Commission's view of Section 706(a) that, in using the term "aggrieved," Congress did not intend to limit access to the Commission to those persons who were the direct or proximate victims of discrimination, but to make available the Federal machinery for resolving claims of discrimination to those persons who have a measurable interest in the terms and conditions of employment prevailing at the industrial facility in question. More recently, the courts have followed the dictates of this principle to the conclusion that an employee may file charges of discrimination which affect not only his own interests, but also the interests of the class of persons he represents (Oatis vs. Crown Zellerbach Corp., (5th Cir., July 16, 1968), No. 25307, 68 LRRM 2782).

The questions which a charging party may raise in a charge constitute an issue which is intimately related to the question of who may file a charge. For as noted above even

if a person is a direct victim of a certain practice of discrimination, clearly establishing grounds for a charge, it has been argued that such a person is not permitted, under the Act, to raise questions of discrimination affecting other employees in his class not relating directly to his own circumstances. This problem was central to the case of Jenkins vs. United Gas Corp. (5th Cir., August 29, 1968, No. 24555) in which the Commission's brief argued that the public policy embodied in Title VII required the courts to permit a private litigant to bring before the court a complete picture of the discriminatory practices of the defendant. The Court of Appeals for the Fifth Circuit concurred in this view stating that though the claim of the charging party may be "tiny," it is nonetheless "enough to launch a full scale inquiry into the charged unlawful motivation in employment practice."

Another relevant issue involves the consequences that flow from the fact that a charge does not specifically refer to certain kinds of unlawful conduct which occurs or is discovered during the course of a Title VII proceeding. Since charges are usually filed with the Commission by ordinary citizens, not lawyers, the Commission has rejected the proposition that its efforts are limited solely to those issues

raised by the charge. The reasons for this interpretation of Title VII were set forth in the brief filed by the Commission in King vs. Georgia Power (USDC ND Ga., August 13, 1968, No. 11723) and found their way into the Court's decision--"To compel the charging party to specifically articulate in a charge filed with the Commission, the full panoply of discrimination which he may have suffered may cause the very persons Title VII was designed to protect to lose that protection because they are ignorant of or unable to thoroughly describe the discriminatory practices to which they are subjected."

In addition to these considerations, the Court noted that the Commission acting in the public interest will seek to resolve the entire range of discrimination arising out of the charge. Because the Act places heavy emphasis "upon voluntary settlement of all issues without an action in the District Court," to give impetus to the Commission's conciliation efforts, the "inherent logic" of the Act permits private litigants to bring to the court the same range of issues that would have been the proper subject of conciliation by the Commission. Thus, a charge filed with the Commission serves largely to initiate a proceeding under the Title, and does not have the effect of constricting the scope of that

proceeding either before the Commission or in the district court.

The statute clearly states that a charge of discrimination must be filed with the Commission within 90 days of the alleged unlawful employment practice to give the Commission jurisdiction over the case unless the State FEP has jurisdiction, in which case the charging party has 210 days to file his charge with the Commission. The courts have uniformly held that their own jurisdiction depends upon the filing of such a charge. The courts have recognized, however, as does the Commission, that certain kinds of conduct constitute a continuing act of discrimination. An example of such discrimination is a seniority system which has the intent or the effect of discriminating on the basis of race as was found in Quarles vs. Philip Morris, Inc., USDC ED Va., Richmond Div., No. 4544, September 26, 1966, 279 F.Supp. 505. In cases of this kind, the charge is timely whenever it is filed.

It is now well established that the charge need not be sworn to within 90 days of the alleged unlawful practice (Weeks vs. Southern Bell, USDC, SD Ga., Swainsboro, No. 443, November, 1967, 56 LC 9084; King vs. Georgia Power Co., supra). Nor must the charge be served within that period (EEOC vs.

Local 5, IBEW, 3rd Cir., July 24, 1968, No. 16985). The courts have also approved the Commission's procedures relating to the deferral of charges to state agencies where deferral is appropriate under Section 706(b) of the Act.

In summary, litigation by the Commission has resulted in significant clarification of problems surrounding the filing of charges with the Commission and the effects of the duty to file a charge on the rights of litigants under the Title. The Commission has succeeded in obtaining judicial approval of its interpretation of the Act in the significant areas of dispute concerning the filing of charges. The net result of this effort has been to defeat the attempts of respondents to thwart the processes of the Commission and the courts by importing into the filing requirement "common law pleading niceties." By clarifying and simplifying the charge requirement, the Commission and the Courts have accomplished the basic groundwork necessary to come to grips with the merits of the problems presented to them by charging parties and litigants.

Consistent with its view that the statute places upon the Commission the duty to eliminate not only the effects of a specific act of discrimination which may have been charged,

but also the full range of the discriminatory employment practices comprehended in the charge or growing out of the proceeding before it, the Commission, in various demand proceedings which have been presented to the courts, has sought and obtained a broad range of evidence relating to the practice of discrimination alleged in the charge. All that is required to support an investigation is that a valid charge be filed with the Commission, and that such charge be served upon the respondent. In areas where deferral is required, it is not necessary that the charging party file a new charge with the Commission; investigation may begin once the deferral requirement is satisfied (EEOC vs. Local 5, IBEW, supra). There is no requirement that the charge must be served or the investigation commenced within any fixed period of time after filing.

In some cases, respondents have sought to attack the Commission's right to conduct an investigation on the ground that the statement of facts contained in the charge is insufficient to vest jurisdiction in the Commission. The cases in which this issue arose were settled prior to hearing by agreements leading to the respondent's compliance with the demand. At the present time, there are two cases where claims of this

nature are before the courts.

The touchstone of any investigation is, of course, the relevancy of the material sought to the issues raised by the charge. Accordingly, evidence which tends to bear upon proof of discrimination or is related to articulating a proper remedy for an alleged practice of discrimination is available to the Commission under the provisions of Section 709. By and large, the Commission has enjoyed the cooperation of respondents who have produced the evidence requested by investigators. Where there has been resistance, however, the Courts have enforced Commission Demands for Access to Evidence which, in the opinion of the Commission, was relevant to the investigation. The courts have agreed with the Commission that evidence respecting events occurring prior to the effective date of the Act or more than 90 days prior to the filing of the charge is available to the Commission in as much as such evidence may shed light on events occurring within the statutory period. Also, evidence concerning the respondent's treatment of employees in other departments or classifications has been deemed relevant to the investigation.

Thus, it appears that, as in the area of charges,

there has been a general clarification of the nature of the Commission's investigatory power. The only issue of consequence which remains outstanding in this area is the question of whether a respondent may utilize a demand proceeding as a vehicle for making a general attack upon the charge, and thereby, upon the Commission's jurisdiction over the case. This problem is soon to be resolved, at least by the district courts. Should the Commission prevail, the only issues which could be presented to a court in order to resist an investigation would be relevancy of the material sought and burdensomeness of the demand. Cases raising problems of this kind must be resolved on an individual basis.

Some defendants in suits filed under Section 706 have argued that a finding of reasonable cause to believe a violation of Title VII has occurred is prerequisite to suit. No court has adopted such an interpretation of the statute. To the contrary, most of them have rejected it by ignoring the claim. In one case, the court specifically held that the Commission decision was not relevant to the suit filed under Section 706, since the proceeding in the district court is a de novo review of the dispute (King vs. Georgia

Power, supra). The legislative history clearly supports the result reached by the court in King, but it may be argued that the Commission's decision can have some weight as evidence in a Section 706 proceeding, even though a decision is in no way controlling on the subsequent litigation.

The question of whether conciliation is a prerequisite to suit remains open. The decision reached in Dent vs. St. Louis-San Francisco Railroad, 256 F.Supp. 56 (USDC, ND Ala., 1967), in which the Court held that some effort at conciliation was necessary to the district court's jurisdiction, has been, by and large, rejected by other district courts confronted with the issue. But Dent itself is awaiting decision by the Court of Appeals for the Fifth Circuit, while in the Fourth Circuit, the identical issue is before the Court in Johnson vs. Seaboard Airline Railroad, USDC, WD N.C., Charlotte Div., No. 2171, January 25, 1967. It is noteworthy that the Fifth Circuit addressed itself to the Dent issue in Jenkins, where, like Dent, suit was filed prior to conciliation. The Jenkins panel appears to have rejected Dent, commenting that a proceeding under Section 706 may be maintained "when conciliation has failed--either out-

right or by reason of the expiration of the statutory timetable..."

The opposite interpretation of the statute relating to the time when suit may be brought under the Title was laid down in Miller vs. International Paper Co., USDC, SD Miss., Southern Div., No. 3416, Nov. 9, 1967, and Cunningham vs. Litton Industries, USDC, CD Calif., No. 67-952-PH, Sept. 27, 1967, 56 LC 9078. Since both cases held that suit must be filed within 90 days of the filing of the charge with the Commission regardless of the status of the case before the Commission, the issue remains unresolved.

The degree to which an executed conciliation agreement affects the rights of the class of employees covered by the terms of the agreement arose as an issue in litigation in 1968. This is a problem of major significance to the Commission as well as to respondents and charging parties. While the litigation involving this issue has not proceeded to the point where some conclusions can be reached about the effect of the agreement on the substantive rights of the class of employees covered by the agreement, a court has held that the mere existence of a conciliation agreement is not a bar to a proceeding under Title VII initiated

by employees covered by it (Banks vs. Lockheed-Georgia Co., USDC, ND Ga., Atlanta Div., C.A. No. 11675, June 12, 1968, 68 LRRM 2696, 58 LC 9131).

Litigation is the final step in the compliance process. The Act does not authorize the Commission to initiate proceedings to compel compliance with the Title, such authority being given to the private charging party under Section 706 and the Attorney General under Section 707. The authority of the Attorney General to bring suit to compel compliance with the Act is independent of the administrative procedures of the Commission, i.e., it is not necessary for a charge to have been filed with the Commission as is the case with suit initiated by private persons.

Because of the interlocking of the administrative aspects of Title VII and the interests of the private litigant, the Commission has found it necessary to participate actively, either as an intervenor or in the role of amicus curiae, in many suits filed by private persons. The administration of a charge follows procedures adopted after careful study which, in the opinion of the Commission, are necessary to carry out the policies and purposes of Title VII. The rejection of these procedures by the courts

has a serious impact on the Commission's ability to carry out the policies of the Act. Since the Commission was created to facilitate the settlement of disputes involving allegations of discrimination, it is necessary that the Commission's procedures be as simple as possible to permit the parties and the Commission to come to grips with the merits of a problem, and, if it cannot be solved quickly and peacefully, to bring the matter to court. If litigation results in complicating the Commission's procedures or extending the time a party must wait before seeking judicial relief, the Commission tends to become an impediment to the rights guaranteed by the Act rather than a source of relief as was intended by Congress.

The Commission has been deeply concerned with the substantive law which is growing out of Title VII proceedings. The Commission like the courts must make rulings applying the legal principles embodied in Title VII to the facts of specific cases to determine whether there has been a violation of the Title. While it is true that the evidence necessary to support a finding of discrimination before the Commission differs from that which is applied in the district courts, the principles of law normally

will be the same. As the agency charged by Congress with the practical administration of the law the interpretation placed upon the statute by the Commission is entitled to great weight in the courts (Chemical Workers vs. Planters Mfg., supra).

In the area of relief the nexus between litigation and the administration of the law by the Commission is most apparent and, perhaps, most important. Under Section 706 the Commission is instructed to seek by means of conciliation to eliminate the unlawful employment practices found. Section 706 also requires the courts to provide relief appropriate to eliminate the unlawful practices found as a result of the trial. As the court observed in King vs. Georgia Power, supra, relief in a suit brought under Title VII must be as broad as that available in a conciliation effort or respondents will be encouraged to refuse to conciliate, and thereby frustrate the Congressional intent that conciliation be used as the preferred vehicle for resolving disputes arising under the Title. Accordingly, in several important cases arising during the past year the Commission has filed briefs urging the courts to recognize that the private

litigant in a Section 706 suit serves not only to vindicate his own rights but serves as well to vindicate the public policy aimed at ending discrimination in employment. This principle is now firmly imbedded in the law by the decision in Jenkins in which the court observed that in a proceeding under Title VII the private plaintiff "takes on the mantle of the sovereign...." This holding constitutes a major milestone in the development of the law under Title VII and is in accordance with the Commission aim to direct its remedial efforts at the elimination of the whole practice of discrimination.

In the area of litigation arising out of proceedings to enforce demands for access to evidence, the relationship between the Commission's administrative responsibilities and the enforcement of rights in Section 706 litigation may also be observed. To the extent the courts permit a broad inquiry into the evidence concerning alleged practices of discrimination in a demand proceeding, these cases serve as a guide in Section 706 proceedings where problems of discovery or relevancy are presented. Similarly, to the extent a broad view of discovery and relevancy is followed in Section 706 cases, the Commission's position in pressing

for a full inquiry into the alleged offense is enhanced.

Under the Congressional scheme laid down in Title VII, the Commission has the duty in the first instance to define the meaning of employment discrimination under the Civil Rights Act of 1964. Of course, the multiple enforcement procedures created by the Act and those antedating Title VII which remain in existence also have a role to play in developing a legal definition of discrimination. The courts are deeply involved in the problem in their handling of suits filed by private parties under Section 706 and by the Attorney General under Section 707. The Attorney General in his selection of cases brought to court under Section 707 and the facts and legal principles upon which the Attorney General relies to support his case tends to shape the law. The Office of Federal Contract Compliance in its administration of the Executive Order prohibiting discrimination in employment by its regulations and decisions also contributes to the growing body of law. It is the Commission, however, that bears the major burden in this area because the number of cases coming before the Commission and the number of decisions rendered exceed the work load of the courts and of other agencies by literally thousands

of cases each year.

When litigation involving Title VII is initiated by private litigants, the private litigant, as the court pointed out in Jenkins vs. United Gas, assumes the mantle of the sovereign. However, the private litigant cannot assume to speak with the expertise brought to the issues by the Commission. Participation by the Commission is sometimes in the form of an intervention in the proceeding. More often it takes the form of a brief amicus curiae. The brief amicus is a particularly suitable vehicle by which to express the Commission's view of the law, as it is designed to give the court an opportunity to see a relatively unbiased analysis of the problems in the case, free from the adversative presentation in briefs by the parties. These briefs have provided important guidance to the courts in Title VII cases.

Automated Library of Commission Action

The critical need for accurate and readily reportable information concerning the nature, status, and outcome of charges received by the Commission became more evident as the compliance process was further decentralized. The decision process, one of the primary concerns, prompted the Commission to study legal research systems for mechanized

storage and retrieval.

As a result of the study, a contract was negotiated with the University of Pittsburgh, who prepared the design and developed a random access system for the Commission. The major cost associated with the system was the preparation of the data base. In the initial preparation a total of 160,000 lines of input were prepared. The original data base, consisting of more than 1500 decisions rendered by the Commission, is now being updated at the rate of approximately 100 decisions per month.

The Automated Law Searching System, as it is now called, is a total text system, i.e., every word of each decision made by the Commission is stored on magnetic tape, and thus is available for machine processing and retrieval. The output is in the form of full text printout, or key work in context (KWIC) with preceding and following words, or merely a citation. The current, limited system is presently operational, but the cost per search is a disadvantage.

Plans for the future call for the operation to become an Automated Library of Commission Actions which will include, in addition to Commission decisions, a data base of concilia-

tion agreements, General Counsel Opinion Letters and court decisions on cases handled by the Commission. The Commission will then have available for instantaneous recall the "law of employment discrimination."

APPENDIX A
MONTHLY PERSONNEL RECORD

MONTHLY PERSONNEL RECORD

1965

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
Total Employees						19	56	79	90	109	123	128
At Headquarters						19	56	79	90	109	123	128
In the Region						0	0	0	0	0	0	0
Additions						19	37	34	20	23	16	10
Separations						0	3	8	9	4	4	2

1966

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
Total Employees	133	147	153	169	178	227	237	262	271	269	267	275
At Headquarters	130	138	142	153	149	186	177	167	158	153	146	149
In the Region	3	9	11	16	29	41	60	95	113	116	121	126
Additions	16	18	8	20	25	51	24	44	33	9	8	11
Separations	11	3	2	4	12	10	12	16	20	12	7	2

MONTHLY PERSONNEL RECORD

1967

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
Total Employees	288	293	293	289	296	360	393	381	326	348	355	379
At Headquarters	153	157	160	155	157	201	217	210	171	185	191	212
In the Region	135	136	133	134	139	159	176	171	155	163	164	167
Additions	23	12	13	11	15	86	42	16	24	35	12	31
Separations	11	7	21	12	8	22	7	28	75	12	7	7

1968

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
Total Employees	398	397	402	406	410	476	516	471	464			
At Headquarters	222	220	219	220	223	271	305	267	253			
In the Region	176	177	183	186	187	205	211	204	211			
Additions	25	17	21	28	29	104	52	18	49			
Separations	8	17	19	23	19	36	12	62	43			

APPENDIX B

APPENDIX B
BIOGRAPHICAL DATA

FREDERICK B. ABRAMSON

Special Assistant to Chairman
August 22, 1967 to present

Frederick B. Abramson was assigned to the post of Special Assistant to the Chairman after having worked for the Legal Staff of American Telephone and Telegraph (1966-1967).

He was awarded a scholarship to attend Cornwall Academy Preparatory school in Great Barrington, Massachusetts and graduated as valedictorian. Following his graduation with honors from Yale University in 1956 with a B.A. and from the University of Chicago Law School in 1959, Mr. Abramson practiced law with a New York firm. His experience also includes work for the American Arbitration Association and service as an attorney for the United States Department of Justice in the Civil Division (1961).

CLIFFORD L. ALEXANDER, JR.

Chairman

August 4, 1967 to present

Clifford L. Alexander, Jr. was born September 21, 1933, in New York City. His parents are Clifford L. and Edith McAllister Alexander. Harvard awarded him his A.B. degree cum laude in 1955. He was also the recipient of the Ames Award at Harvard in 1955. After graduation, he enrolled in Yale University Law School and received his LL.B. in 1958.

After serving from 1958-1959 with the United States Army, Mr. Alexander was admitted to the New York Bar. He began his law career as the Assistant District Attorney of New York County (1959-1961). After leaving the District Court, he accepted a position as the Executive Director of the Manhattanville Hamilton Grange Conservation Project (1961-1962). From 1962 to 1963 Mr. Alexander was the Program and Executive Director of Harlem Youth Opportunities Unlimited.

Mr. Alexander was engaged in a private law practice in New York City when he came to Washington in 1963 to serve as the Foreign Affairs Officer on the staff of the National Security Council. In 1964 President Johnson appointed him as his Deputy Special Assistant. Mr. Alexander held this title until 1965 when he became the Associate Special Counsel to the President and then the Deputy Special Counsel to the President. The President also appointed Mr. Alexander to the Commission on Income Maintenance Programs and to the President's Commission for Observance of Human Rights Year 1968. He is also a member of the Interdepartmental Committee on the Status of Women.

Mr. Alexander has held membership in the following organizations: The Board of Directors of Children's Village in Dobbs Ferry, New York (1963-); The Reveille Club; The Children's Aid Society (1960-1963); and the Board of the Alumni Association, Ethical/Fieldston Schools (1962-1963). The Reveille Club awarded him their Outstanding Achievement Award for New York City in 1966.

Mr. Alexander and his wife, Adele Logan, make their home in Washington, D. C. They have two children, Elizabeth and Mark Clifford.

RICHARD BERG

Deputy General Counsel
August 1, 1965-May 16, 1967

Richard Berg received his law degree from the Yale University Law School in 1954. After his graduation he practiced law in New York City until 1961 when he came to Washington to serve in the Office of Legal Counsel, Department of Justice. He remained with the Department of Justice until his appointment in 1965 as Deputy General Counsel for the Equal Employment Opportunity Commission.

Mr. Berg is the author of "Equal Employment Opportunity Under the Civil Rights Act of 1954" which was published in the Brooklyn Law Review.

MICHAEL BLUMENFELD

Director, Public Affairs Staff
August 29, 1967 to present

Michael Blumenfeld received his B.A. degree cum laude in Social Relations from Harvard in 1958. The John Harvard Honorary Scholarship and Detur Award for Scholarship were awarded to him. Subsequently he enrolled in the Harvard Graduate School of Business Administration where he received his M.B.A. in 1960.

After his graduation from Harvard, Mr. Blumenfeld accepted the position of Assistant Account Executive for Proctor and Gamble (1960-1961). From 1961 to 1962 he was with Philip Morris and from 1962 to 1964 he was with General Foods. More recently he was the Account Executive for Proctor and Gamble (1965-1966). Mr. Blumenfeld left his position of Vice-President and Account Supervisor in General Foods to join the Equal Employment Opportunity Commission.

From 1953 to 1956 Mr. Blumenfeld served in the United States Artillery. During this period he had several articles published in Stars and Stripes.

Mr. Blumenfeld was born and raised in New York City, where his father was a physician. He and his wife live in Washington, D.C.

ALFRED W. BLUMROSEN

Chief, Office of Liaison
August 4, 1965 to October 23, 1965

Alfred W. Blumrosen received his undergraduate degree at the University of Michigan in 1950 and a Juris Doctor degree at the University of Michigan Law School in 1953.

Prior to assuming duties as Chief in the Office of Liaison, Mr. Blumrosen was appointed a member of the Federal Mediation and Conciliation Service (1961). His experience also includes service as an arbitrator for the New Jersey Mediation Board.

Mr. Blumrosen has published several articles including "Securing Equality: The Operation of the Laws of New Jersey Concerning Racial Discrimination" and "Anti-Discrimination Laws in Action in New Jersey."

GEORGE O. BUTLER

Chief, Technical Assistance Division
March 26, 1967 to present

George Butler received both his A.B. and M.A. degrees in economics from Howard University. Upon completion of his education he taught at Howard. Mr. Butler has also served as the Director of Education for the President's Committee on Government Contracts and the Director of Education for the President's Committee on Equal Employment Opportunities.

FRANK S. CARACCIOLO

Chief, Education Programs Division
August 9, 1965-June 16, 1967

As a career Federal employee, Frank Caracciolo held several posts relating to education programs before joining the Commission. He worked for the Department of the Army, 1955-1957; Navy Department, 1957-1960; and from 1960 to 1965 he was with the U.S. Civil Service Commission. During his years with the Civil Service Commission, he held the following posts: Associate Director, Management Intern Programs; Director, Management Science Programs; and Special Assistant to Director, Office of Career Development.

Mr. Caracciolo attended George Washington University where he majored in Psychology. He was awarded an A.B. degree in 1952, and the A.M. in 1954.

INEZ CASIANO

Executive Assistant
March 1, 1967-November 19, 1967

Inez Casiano is presently the Commission Specialist on Community and Urban Affairs, especially knowledgeable about Puerto Ricans, Mexican-Americans and American Indians. She has worked extensively with poverty and civil rights programs in New York City. In addition, Inez Casiano was a consultant in public opinion and market research. She was a member of the founding board of the National Organization for Women. She has also served as the Research Director for International Research Associates in the Caracas, Venezuela Office.

Inez Casiano received her undergraduate degree at the City University of New York, Baruch School of Business Administration and did her graduate work in personnel psychology at Columbia University.

GORDON CHASE

Executive Director
March 6, 1967 to present

Gordon Chase graduated with honors from Harvard in 1954. After a two year tour (1954-1956) in the United States Marine Corps, Mr. Chase joined the United States Foreign Service. In 1958 he became the Economic and Commercial Officer for the United States Embassy in Karachi, Pakistan. Following this tour of duty he was transferred to the American Embassy in London where he served as the assistant to the Councilor for Administration (1960-1962). When Mr. Chase returned to the United States in 1962, he joined the staff of McGeorge Bundy who was a Special Assistant to the President. Prior to accepting his post as Executive Director of the Equal Employment Opportunity Commission in 1967, Mr. Chase was the Deputy Assistant Administrator for Program, Agency for International Development.

A native of Worcester, Massachusetts, Mr. Chase resides in Chevy Chase, Maryland, with his wife, the former Robin Holman, and children, Christopher, Peter, and Emily.

WARREN I. CIKINS

Chief, Congressional Liaison Staff
February 26, 1967 to present

Warren I. Cikins attended Harvard on a scholarship and graduated with a B.A. degree in 1951. He was awarded a Thomas E. Upham Fellowship to attend Harvard Graduate School of Public Administration where he received his M.P.A. in 1955. After attending the Southern Regional Training Program from 1952 to 1953, Mr. Cikins was awarded a certificate in Public Administration from the University of Kentucky. All work but his dissertation is now complete for his Ph.D. in Political Economy and Government from Harvard.

In 1952, Mr. Cikins became a Public Administrative Intern for the Tennessee Valley Authority. The following year he accepted a position as a Research Associate at the University of Alabama. He was also a Junior Management Assistant for the Civil Service Commission (1954).

In addition, Mr. Cikins' background includes experience as Legislative Assistant to Representative Brooks Hays (D-Ark.) (1956-1958), Part-time Instructor at George Washington University (1957-1962), Legislative Assistant and Press Secretary to Senator Clair Engle (D-Calif.) (1959-1960) and Research Analyst for the Advisory Commission on Intergovernmental Relations (1960-1961). From 1961 to 1962, Mr. Cikins served as the Special Assistant to the Assistant Secretary of State for Congressional Relations. The following year he was the Executive Assistant to the Special Assistant to the President and Staff Director for the Senate Subcommittee on Intergovernmental Relations. More recently (1963-1965) Mr. Cikins served as the Special Assistant to the Staff Director for the United States Commission on Civil Rights. From 1965 until he joined the Equal Employment Opportunity Commission in 1967, Mr. Cikins was the Special Assistant to the Administrator for AID.

He has authored many publications on trade and American Business and Governmental Structure.

CHARLES EDWARD CLARK

Area Director, Kansas City
August 1, 1966 to present

Charles Edward Clark was born in Cleveland, Ohio, and was educated at Berea College, Kentucky, Kings College, Tennessee, and the University of Texas.

Mr. Clark received his LL.B. degree from the University of Texas in 1948, and established a private law practice in San Antonio. While in San Antonio, he was also the Assistant Dean and Professor of Law at St. Mary's University.

Mr. Clark entered government service as the Legal Assistant to the Vice-Chairman of the United States Commission on Civil Rights. He also served as the Contract Compliance Advisor for the President's Committee on Equal Employment Opportunity and the Senior Compliance Officer for the Office of Federal Contract Compliance. Presently he is serving as the Kansas City Area Director for the Equal Employment Opportunity Commission.

GLENN P. CLASEN

Area Director, New Orleans
September 11, 1966 to present

Glenn Clasen is a native of New Orleans. He received his B.S. degree in Education from Louisiana State University in 1940. He has had extensive military service. During World War II he was awarded the Purple Heart.

Mr. Clasen has held posts in the local government of New Orleans and in the Federal Government. He was the Chief Administrative Officer for the Municipal Government of New Orleans during 1961. From 1962-1966 he was the Administrative Officer for the Southern Utilization Research and Development Division, U.S. Department of Agriculture.

He is married and resides in New Orleans.

MANUEL DIAZ, JR.

Regional Director, New York
July 29, 1966 to March 8, 1968

Manuel Diaz began his college education at Syracuse University where he studied electrical engineering. He received a Bachelor of Social Science from the City College of New York and a Master's degree in Social Work from Columbia University School of Social Work in 1953. He has served on the faculties of Syracuse University, Adelphia College and Columbia University School of Social Work.

Mr. Diaz was the Director of Community Affairs for Juvenile Delinquency Prevention in New York. He also served as Director for the Baden Street Settlement House in Rochester and as Executive Director for the Puerto Rican Community Development Project in New York City.

Mr. Diaz is a native of Puerto Rico but now resides with his wife and two children in New York City.

CHARLES DUNCAN

General Counsel

August 8, 1965-October 30, 1966

Charles Duncan graduated from Dartmouth College where he was elected to Phi Beta Kappa in 1947. After receiving his degree from Harvard Law School in 1950, Mr. Duncan became an associate professor of law at Howard University Law School. At the same time, he engaged in a private law practice in his native Washington, D.C. In June 1961, Mr. Duncan was appointed as an Assistant United States Attorney for the District of Columbia and Chief of the Appellate Division of the United States Attorney's Office. Four months after his appointment, he was promoted to Principal Assistant United States Attorney for the District of Columbia.

JOHN P. EBERLE

Director of Administration
June 20, 1965 to present

John P. Eberle, Director of Administration for the Equal Employment Opportunity Commission received his B.S. degree in 1954, his M.A. in 1956, and his Ph.D. in 1963, all in the field of Public Administration, from American University.

Mr. Eberle held various administrative positions with the Bureau of the Census from 1940 to 1961. He left the Census Bureau to become the Deputy Director of Administration for the Business and Defense Services Administration, Commerce Department. In 1964, he became the Management Analysis Officer. In addition, he was a part-time professor of Public Administration at George Washington University.

Mr. Eberle served in the United States Army from 1944 to 1946. He is a member of Pi Sigma Alpha, the political science honorary fraternity. He has authored several articles for management journals.

The Eberles are now residents of District Heights, Maryland. They have four daughters.

HERMAN EDELSBERG

Executive Director

October 22, 1965-March 5, 1967

Herman Edelsberg, a native of New York City, received his education at the College of the City of New York and at Brooklyn Law School.

From 1941 to 1945 Mr. Edelsberg served with the Foreign Economic Administration, the Board of Economic Welfare and the OPA. Mr. Edelsberg held the post of Counsel and Staff Director of the Senate Subcommittee on Foreign Trade from 1945 to 1946. He has also been active in civil rights and human relations work. Among his most important contribution was his work on the 1951 and 1960 Civil Rights Acts. Mr. Edelsberg also served as the director of the Washington office of B'nai B'rith Anti-Defamation League.

GERALD E. FRUG

Special Assistant to Chairman
August 22, 1967 to present

Gerald E. Frug, a native of Berkley, California, was educated at the University of California at Berkley where he graduated with an A.B. in political science summa cum laude. After receiving his LL.B. magna cum laude from Harvard Law School in 1963, he was awarded a fellowship for study at the London School of Economics.

Mr. Frug's past experience includes service as a law clerk to Chief Justice Roger Traynor, California Supreme Court (1964-1965) and membership in the law firm of Heller, Ehrman, White and MacAuliffe in San Francisco. He has also taken an active part in San Francisco's community affairs.

ROBERT GALE

Director, Public Affairs Staff
August 1, 1965-July 15, 1966

Mr. Gale served with the Peace Corps (1963-1965) as Deputy Associate Director, Public Affairs, prior to joining the Commission's Public Affairs Staff. During the years 1949 to 1957, he was editor of several magazines including This Week and Argosy.

Mr. Gale earned his B.A. degree in Mathematics in 1948 from Carleton College, Northfield, Massachusetts. He was Vice President of Carleton College from 1957 to 1963. He served in the U.S. Navy during World War II.

ALAN GIBBS

Area Director, Birmingham
May 5, 1968 to present

Alan Gibbs is a graduate of the University of Illinois where he received his B.S. in Management and his M.A. in Labor and Industrial Relations.

In 1966 he joined the Equal Employment Opportunity Commission as a Technical Assistance Officer. He developed and co-ordinated the "New Plants" program which produced over 400 jobs for minority applicants. The EEOC awarded him its Superior Performance Award in connection with this project. Presently he is Director of the Commission's Birmingham area office which has jurisdiction in Alabama and Tennessee.

Prior to joining the EEOC, Mr. Gibbs' experience was in the fields of industrial relations and minority employment problems. He was the Labor Management Relations Examiner for the National Labor Relations Board for three years.

Mr. Gibbs and his wife, Martha, have two children, Philip and Cynthia.

RICHARD GRAHAM

Commissioner
June 1, 1965 to July 1, 1966

Before joining the Equal Employment Opportunity Commission, Richard Graham was a businessman in Mequon, Wisconsin for 15 years where he was also the Director of the local school board. From 1946 to 1961 he was the sales manager and development engineer for Graham Transmission, Inc. In 1960 he became the president of Mequon Development Corporation. Mr. Graham came to Washington to accept the post of Director of Recruitment and Deputy Director of Public Affairs for the Peace Corps senior staff in 1961. From Washington Mr. Graham went to Tunisia for a two year tour as Peace Corps Representative.

Mr. Graham holds a degree in mechanical engineering from Cornell University.

CHESTER J. GRAY

Regional Director, Cleveland
June 12, 1966 to present

Chester J. Gray received his B.A. from John Carroll University. During World War II, he served with the military welfare branch of the American Red Cross in the European Theater of Operations.

From 1963 to 1966, Mr. Gray was the Chief of the Cleveland District of the United States Air Force Equal Employment Opportunity Program. His last major assignment was the development of the equal employment opportunity program for the agency responsible for administering Medicare. Prior to entering Federal service he was employed by the Ohio Bureau of Unemployment Compensation and the Ohio Civil Rights Commission where he was the Deputy Executive Director.

Mr. Gray is an active participant in the following organizations: Karamu House, trustee; Occupational Planning Committee of the Cleveland Welfare Federation, vice-chairman; Cleveland Businessman's Interracial Committee on Community Affairs; and the Mt. Zion Congressional Church. He was a guest lecturer at Western Reserve Summer Inter-group Relations Workshop.

AILEEN C. HERNANDEZ

Commissioner

June 1, 1965 to November 10, 1966

Aileen C. Hernandez, a native of New York City, graduated magna cum laude from Howard University in 1947. She was then sent to Norway by the International Student Exchange Program to do a study in comparative government. Commissioner Hernandez did her graduate work at the University of California at Los Angeles and the University of Southern California. She received her M.A. in government from Los Angeles State College in 1959.

On her return to the United States from Norway, Mrs. Hernandez joined the faculty at Howard University in the Department of Government as a research assistant. For the next eleven years, she was with the International Ladies Garment Workers Union, first as the Pacific Coast Organizer and then as the Assistant Educational Director. Upon completion of her graduate work, Governor Edmund G. Brown appointed her assistant Chief of the California Fair Employment Practices Commission. She was then employed for one year in the office of the state comptroller in Sacramento. In 1960 Commissioner Hernandez toured six Latin American countries as a labor specialist for the United States State Department. In 1961 she was appointed by the State Department to be a labor education specialist.

KENNETH HOLBERT

Acting General Counsel
May 17, 1967-November 16, 1967

Kenneth Holbert entered government service as a supervisory attorney for the Labor Department in 1961. His more recent duties with the Labor Department were handling complaints of discrimination in violation of Title VI of the Civil Rights Act. In 1965 he joined the Equal Employment Opportunity Commission as a conciliator, became the Acting Director of Compliance in 1966 and Chief of Conciliations in 1967. He also served as Acting General Counsel of the Commission.

Mr. Holbert, a native of Dallas, Texas, did his undergraduate work at the University of Denver and graduated from Texas Southern University Law School. From 1952 until 1961 he was engaged in private law practice.

Mr. Holbert is married to the former Gloria Banks and they have three children, Jennifer, Martha and Foree.

LUTHER HOLCOMB

Commissioner (Vice Chairman)

June 1, 1965 to present

Luther Holcomb, Vice Chairman of the Equal Employment Opportunity Commission, has a background deeply rooted in religious, civic, and political affairs.

Born in 1911, he was graduated with a BA degree from the University of Oklahoma in 1935. He continued his education at Southern Baptist Theological Seminary where he received the ThD degree in 1938. In later years, Dr. Holcomb has been awarded several honorary degrees.

Prior to coming to Washington, Dr. Holcomb was part of the mainstream of life in Dallas, Texas. For nearly twenty years, he was a major civic leader there. He served on more than twenty local, state, and national boards of organizations concerned with health, education, and welfare.

Dr. Holcomb also received various appointments by five successive mayors of Dallas. For more than eleven years, he served as Commissioner of the Dallas Housing Authority by mayoral appointment.

He was appointed Chairman of the Texas Advisory Committee on Civil Rights by President John F. Kennedy. In 1965, President Johnson appointed Dr. Holcomb to serve as Vice Chairman of the Equal Employment Opportunity Commission. He is now the Commissioner with the longest tenure of service.

Dr. Holcomb is married to the former Elaine Parks. They have two children.

GEORGE HOLLAND

Director, Office of Compliance
August 15, 1965 to July 9, 1966

George Holland joined the Veterans' Administration after his discharge from military service in World War II. He served as the Manager of the District of Columbia Regional Office of Veterans' Benefits (1961-1963) and as Area Field Director (1963). He remained with the agency until his appointment to the Equal Employment Opportunity Commission except for a short period when he was on a special assignment as Program Advisor to the Republic of China Staff of International Cooperation Administration at Taipei, Taiwan.

DONALD L. HOLLOWELL

Regional Director, Atlanta
February 1, 1966 to present

Donald L. Hollowell practiced law in Atlanta for 13 years prior to his appointment as Director of the Regional Office. He earned a B.A. degree from Lane College in Jackson, Tennessee, and Juris Doctor Degree from Loyola College of Law.

Mr. Hollowell was named Chairman of the Atlanta Negro Voters League and in 1965 received the NAACP "Lawyer of the Year" award. He is a member of the NAACP Legal Redress Committee, president of Gate City Bar Association, and a CME lay worker.

Originally from Wichita, Kansas, Mr. Hollowell and his wife, Louise Thornton now reside in Atlanta.

MARIE POSTON JACKSON

Area Director, Washington
July 2, 1967 to March 31, 1968

Marie P. Jackson, a native of Philadelphia, graduated from Howard University with a degree in economics. Prior to Federal employment, she was a social worker and interviewer for the State of Pennsylvania. She then began a career in Government, serving in various agencies. Before joining the Equal Employment Opportunity Commission, Mrs. Jackson was the Field Investigator and Examiner for the National Labor Relations Board for 20 years. While working there she was awarded the "25-year Honor Service Award."

Mrs. Jackson began as a Compliance Officer at the Equal Employment Opportunity Commission. She then became Deputy Director of the Chicago Regional Office; then the Officer in Charge of the Equal Employment Task Force stationed in Birmingham, Alabama; and finally the Director for the Washington Area.

Mrs. Jackson is a member of the NAACP; New York Urban League; Detroit United Negro College Fund; Hands Across the Sea Annual Scholarship Award, Inc.; and the Board of Directors, Detroit Grand Opera Association. She was also a candidate for the 1967 Federal Woman's Award.

SAMUEL C. JACKSON

Commissioner

June 1, 1965-June 30, 1968

Samuel C. Jackson was born in Kansas and now makes his home in Washington with his wife and two daughters. He received his B.A. degree in 1951 from Washburn University in Topeka and his LL.B. in 1954 from the Washburn University School of Law. After attending the Air Force Judge Advocate General School, Mr. Jackson served a brief tour and returned to Topeka in 1957 to set up a private law practice where he remained until 1965 when he joined the Commission.

During the period from 1962 to 1965, Mr. Jackson served as an Institutional Attorney and Child Welfare Attorney for the State of Kansas. He also has lectured at Washburn University, the Baldwin Institute of Baker University and the University of Kansas.

Mr. Jackson served actively with several civil rights groups and has held many posts with local and national NAACP organizations. Among the NAACP positions he has held are: member of the Board of Directors (1963-1965), president of the Topeka branch (1963-1965), Midwest Regional Attorney (1961-1965), and Vice-President and Legislative Chairman of the Kansas State Conference of Branches. He was also the organizer and Vice-President of the Kansas Advisory Council on Civil Rights and took an active part in the Washington Leadership Conference on Civil Rights. This Conference was instrumental in securing passage of Title VII of the Civil Rights Act.

JAMES L. JONES

Special Assistant to Chairman
January 3, 1967 to July 30, 1967

James L. Jones was educated at Howard University where he received his B.S. in 1956. During the time he was working for his M.A. at George Washington University, he taught in the D.C. public schools. His other teaching experiences include lecturing at Howard University, George Washington University and D.C. Teachers' College. Presently he is a candidate for his Ph.D. at George Washington University.

In 1956, Mr. Jones became a Second Lieutenant in the United States Army where he served as an Intelligence Officer, Company Commander and Public Information Officer. He was honorably discharged as a captain.

The Howard University Center for Youth and Community Studies accepted Mr. Jones as their Director of Therapeutic Recreation Program in 1963. Just prior to being selected as Special Assistant to the Chairman of the Equal Employment Opportunity Commission, Mr. Jones was on the faculty of the Washington School of Psychiatry.

In addition, Mr. Jones was a consultant to the NDEA Summer Institute for Teachers of Disadvantaged Youth at Howard University and the United States Office of Education Title I Evaluation Section. He has also served on the White House Committee on Summer for Youth in the District. In 1965, the Howard University Physical Education Department awarded him the Outstanding Alumni Award.

Mr. Jones is a native of Washington, D.C. and is married to the former Shirleeta S. Lee. They have two children, James II and Judy Jay.

WILLIAM J. KENDRICK

Director of Technical Assistance
February 12, 1967 to April 12, 1968

William J. Kendrick, a native of Boston, Massachusetts, was born in 1932. From 1953 to 1955 he served in the United States Army in Korea. Upon completion of his military service, he received his B.S.B.A. (Industrial Management) from Boston College in 1956. After his graduation from Portia Law School in 1959, he was admitted to the Massachusetts Bar. In the same year, Mr. Kendrick entered government service as a Legal Assistant in the Office of the Solicitor for the United States Department of Labor. He also served as General Attorney and Attorney Advisor in the same office.

Prior to coming to the Equal Employment Opportunity Commission, he served as the Government Contract Review Officer to the President's Committee on Equal Employment Opportunity (1962), Assistant Counsel of the Committee (1963). He then became Executive Assistant to the Vice Chairman, Congressional Liaison Staff, and, in 1967, became Director of Technical Assistance, after which he held the two posts simultaneously until April 12, 1968.

Mr. Kendrick and his wife, Mary Jamison, live in Alexandria, Virginia. They have two children, Keith and Jill Marie.

ELIZABETH J. KUCK

Commissioner
March 15, 1968 to present

Elizabeth J. Kuck was born in 1915 in Readstown, Wisconsin. She did her undergraduate work at the University of Minnesota and the University of Wisconsin and her graduate studies at Illinois Institute of Technology and the University of Chicago.

From 1938-1939, Miss Kuck was a social worker for the Family Welfare Association of Minnesota. After she left the Welfare Association in 1939, Miss Kuck worked for a Minneapolis real estate firm. In 1941 she accepted a position as a factory worker in the International Harvester Company, St. Paul, Minnesota. She was promoted to various positions with more responsibility as follows: Women's supervisors at International Women's Tractor Works at Chicago, 1943; chief supervisor of women at Harvester War Depot, Toledo, Ohio, 1943; Chicago employment supervisor, 1943-1951; and general supervisor for special personnel services.

Miss Kuck is a former member of the following organizations: Illinois Status of Women Committee; Advisory Committee to the Illinois Fair Employment Practice Committee; Public Affairs Committee for Zonta International in Chicago; and President's Committee for the Employment of the Handicapped, alternate member. She is currently a member of the National Defense Executive Reserve of the United States Department of Labor and the National Delegate Assembly of the Urban League, Member-at-large.

MAURICE A. LAWRENCE

Acting Regional Director, New York
April 1, 1968 to present

Maurice A. Lawrence was born in New York City of West Indian parentage. He was educated in the parochial schools of Hackensack, New Jersey. He is a graduate of Howard University where he earned a Bachelor's degree with a major in Political Science.

Mr. Lawrence began his career in the Federal Government in 1942 with the Postal Service in Washington, D.C. During his early years in the Post Office he served as a member of the Postmaster's Labor Management Advisory Committee and also as Chairman of the Employee Grievance Committee for the National Alliance of Postal and Federal Employees. Other posts which he held with the Post Office Department were Hearing Officer-Investigator, 1962; Appeals Examiner with the Board of Appeals and Review, 1963; and Contracts Compliance Examiner, 1964.

He became associated with EEOC first in July 1965 as a member of a selected task force to serve with the Commission. He was then appointed as a Compliance Officer in December 1965. From that date until April 1968 he served as Supervisor of National Investigations.

Mr. Lawrence is married to the former Sylvia King.

ROGER F. LEWIS

Special Assistant to Chairman
October 9, 1966 to July 17, 1967

Roger F. Lewis received his undergraduate degree from the University of Illinois and his LL.B. from Northwestern University Law School. He has served in the Anti-Trust Division of the Justice Department; as Special Assistant to the Secretary of Labor, and as Deputy Special Counsel on Equal Employment Opportunity.

ROGER McKENZIE, JR.

Chief, Technical Assistance Division
September 20, 1965-November 18, 1966

Prior to his appointment to the Commission, Mr. McKenzie was the General Employment Manager for the Pacific Telephone Company, San Francisco, California.

He attended Menlo Junior College (1947-1948) and the California State Polytechnical College (1948-1949).

ELMER W. McLAIN

Regional Director, Chicago
September 11, 1966 to present

Elmer W. McLain attended Central YMCA College in Chicago and received his undergraduate degree from the University of Illinois. While working in the Chicago Post Office, he earned his LL.B. degree from John Marshall Law School in 1948. That same year he was promoted to a supervisory grade in the Chicago Post Office. In 1955 he accepted the post of Assistant Superintendent of Training. After being detailed to Washington, D.C. in 1962 to aid in establishing and conducting training programs in new appeals procedures and equal employment opportunity complaint procedures, Mr. McLain was appointed to the Post Office Department Board of Appeals and Review. The following year, May 1965, he was named chairman of the Board.

Mr. McLain, a native of Chicago, is a member of the National Association Intergroup Relations Officials and of the Public Personnel Association. He is married to the former Harriet Rogers.

CHARLES MARKHAM

Director of Research
November 24, 1965-October 8, 1968

As Director of Research, Mr. Markham was instrumental in the development of the reporting systems instituted by the Equal Employment Opportunity Commission.

Until his appointment as Director of Research, Charles Markham was an associate partner in the firm of Battle, Fowler, Stokes and Kheel (1960-1965) where he acquired expertise in fair employment practice law. During this time, he edited "Jobs, Men and Machines" published by Frederick Praeger, Inc. in 1964. He also assisted Theodore Kheel in writing several publications including a pamphlet entitled "How Race Relations Affect Your Business" and a book, A Guide to Fair Employment Practices.

Before entering private law practice, Mr. Markham was a special attorney in the Office of Chief Counsel for the Internal Revenue Service. He has also held positions as assistant state editor and editorial writer for the Charlotte, North Carolina News; reporter on the Durham, North Carolina Sun; and publicity director, executive secretary and research director for the Young Democrat Clubs of America.

Mr. Markham graduated Phi Beta Kappa from Duke University and received his LL.B. from George Washington University in 1951.

BENJAMIN A. ORRINGER

Chief, Budget Division
October 22, 1967 to present

Benjamin Orringer completed his undergraduate and graduate studies at the University of North Carolina and George Washington University, respectively. Prior to accepting the position with the Commission as Chief of the Budget Division, he was employed by the District of Columbia Recreation Department (1957-1967), his terminal position being that of Administrative Officer.

MONTE B. POSEY

Acting Regional Director, San Francisco
January 3, 1966 to January 31, 1967

Monte Posey received his B.A. degree from San Francisco State College in 1962. Prior to that time, he held numerous positions in Chicago, Illinois and in Los Angeles, California with police departments and parole boards. He also served with the State of California Fair Employment Practices Commission (1960-1966). In 1966 he began work at the EEOC as an investigator.

N. THOMPSON POWERS

Executive Director
July 6, 1965-October 20, 1965

N. Thompson Powers was born on April 29, 1929 in New Orleans, the son of Marion Thompson and Eloise Noyes Powers. After graduating from Duke University with an A.B. degree in 1951 and from Harvard with an LL.B. in 1954, he was admitted to the Maryland Bar. From 1956 to 1957 Mr. Powers was the Staff Legal Officer Commander of Atlantic Fleet Reserve in New York City. Then the firm of Steptoe and Johnson accepted him as an associate from 1957 to 1961 and a partner in 1966.

Before his appointment as Executive Director of the Equal Employment Opportunity Commission, Mr. Powers' government service included serving as assistant to the Under Secretary, Department of Labor (1961-1962), Deputy Solicitor (1962-1963), Executive Assistant to the Secretary of Labor (1964-1966) and Special Counsel, President's Committee on Equal Employment Opportunity (1962-1965).

N. Thompson Powers and his wife, the former Mary Lamb, live with their two children, David Noyes and William Thomas in Bethesda, Maryland.

FRANK A. QUINN

Regional Director, San Francisco
February 1, 1967 to present

Frank A. Quinn has had varied experiences in the field of race relations, most of which were in his native San Francisco. The highlights of his career include the positions of Director of the Human Rights Commission for the City and County of San Francisco; Executive Director of San Francisco Council for Civic Unity, 1959-1963; Northern California Indian Field Worker for the American Friends Service Committee, 1954-1958; and Executive Secretary of the Mayor's Interim Committee on Human Relations, San Francisco, 1964-1966. Mr. Quinn also served as producer and moderator of the television series "Cities and Negroes" and as Associate Director of the National Conference of Christians and Jews in San Francisco, 1952-1954.

ROBERT L. RANDOLPH

Director, Office of Compliance
June 2, 1968 to present

Robert L. Randolph was born in East St. Louis, Illinois, and educated at DePauw University where he received his A.B. degree. He was awarded M.A. and Ph.D. degrees in economics by the University of Illinois.

Upon graduation, Dr. Randolph taught at Springfield College in Massachusetts where he became Associate Professor of Economics. He was also the Chairman of the Department of Social Sciences and Director of the Division of Continuing Education. In addition, he served as an Industrial Consultant and lecturer in Business Management and Sociology. Prior to his present assignment, he served as Deputy Executive Director to the Commission.

Other highlights in his career include service as a member of President Johnson's Task Force on Poverty, Director of Staff Training Program for the Job Corps and as consultant for the Office of Economic Systems in the AVCO Corporation (1965).

While in Springfield, Dr. Randolph was active in community affairs, serving as Vice President of the Urban League and on the Mayor's Study Committee on Poverty. He also co-authored Labor Relations in the Central City and has written several articles in the field of labor economics and manpower administration.

Dr. Randolph, his wife, Patricia, and child, Heather, now live in Washington, D. C.

PETER C. ROBERTSON

Director, Office of State and Community Affairs
May 19, 1968 to present

Peter C. Robertson enrolled in Oberlin College and graduated in 1957 with a B.A. degree. He continued his education at Yale University where he received his LL.B. degree in 1960.

Upon completion of his education, Mr. Robertson assumed the duties of Assistant to the Director of Research for the Democratic National Committee (1960). The following year he became the legislative and administrative assistant to Congressman Henry S. Reuss (Democrat of Wisconsin). Mr. Robertson held this post until 1963 when he became the Executive Director of the Missouri Commission on Civil Rights. When he left this position, he had increased his staff from two to 21 and the budget from \$24,000 to \$217,000 annually. When Mr. Robertson first joined the Commission in 1967 he held the post of Director of the Program Review and Analysis Division.

TOM E. ROBLES

Area Director, Albuquerque
August 15, 1966 to present

Tom E. Robles has been an active member of community organizations and of labor unions. In 1949, he helped found Local Union No. 49 of the Sheet Metal Workers' Association and later served as an officer. As the legislative representative of the New Mexico State AFL-CIO he was one of those responsible for making the New Mexico Fair Employment Practices Commission effective. Prior to joining the Equal Employment Opportunity Commission, Mr. Robles was an Associate Inter-American Representative for the AFL-CIO.

Mr. Robles first entered government service as an employee of the United States Foreign Service. He served as a labor attaché in the American Embassy in Lima, Peru. He has received several awards including the Air Medal from the United States Air Force and in 1962 the Labor Oscar for outstanding service to labor and the general public in the state of New Mexico.

Mr. Robles has held membership in the following organizations: the Labor Advisory Committee on Foreign Assistance; the United States delegation to the Committee on Labor Matters of Inter-American Economic and Social Council; the Joint United States-Mexico Trade Union Committee; and the American G.I. Forum through which he worked closely with the NAACP to help end discrimination in public housing in New Mexico.

Mr. Robles is married and has three children. He is a native of Albuquerque, New Mexico.

FRANKLIN DELANO ROOSEVELT, JR.

Chairman

June 1, 1965 to May 11, 1966

Franklin D. Roosevelt, Jr. was born August 17, 1914 on Campobello Island, New Brunswick, Canada, the son of Franklin D. and Eleanor Roosevelt. He enrolled in Harvard University and received his A.B. degree in 1937. From Harvard he went to the University of Virginia and earned his LL.B. degree in 1940.

Roosevelt was called to active duty in the United States Navy in 1914 and served until 1946. He earned the Legion of Merit, the Silver Star, the Purple Heart, and the Secretary of Navy's commendation.

After the war, following the death of Congressman Sol Bloom (20th district New York) in 1949, Roosevelt was elected to fill the unexpired term. He was then re-elected to serve in the 82nd and 83rd Congress from the same district. During these terms in office, he was on the Foreign Affairs Committee and was active with housing legislation, veterans affairs and civil rights legislation. He resigned from Congress to run for Attorney General of New York State in 1954 and was defeated by Jacob Javits.

From 1946 to 1958 Roosevelt practiced law in the firm of Roosevelt and Freidin of New York City. He also became the owner and president of Roosevelt Automobile Company, Washington, D.C., Southern United States distributors of Fiat and Jaguar automobiles from 1958 until he became the Under Secretary of Commerce in 1963.

In 1961, Roosevelt served as the head of the Department of Agriculture's Beef Cattle Marketing Committee to South America and as President Kennedy's personal representative at Tanganyika's independence celebration. The following year he served as a representative at the opening of the German Industrial Trade Fair and in 1963 as the Chairman of the President's Appalacian Regional Commission. The Appalacian Regional Development Act of 1964 was the result of the report that the Commission submitted.

In 1965 he left the Department of Commerce to serve as the first Chairman of the Equal Employment Opportunity Commission. In 1966 he resigned to become a Liberal Party candidate for Governor of New York.

Mr. Roosevelt is an Ex-Officio Trustee of the Eleanor Roosevelt Memorial Foundation and a trustee of the John Fitzgerald Kennedy Library, Inc.

Mr. Roosevelt is married to the former Suzanne Perrin. His children are Franklin Delano, III, Nancy S., Laura D., and Christopher duPont. They reside in New York City.

JOHN H. ROYER, JR.

Special Assistant to Chairman
July 25, 1965 - July 30, 1966

John H. Royer, Jr., Chairman Roosevelt's Assistant, left the Department of Commerce, where he had been the Deputy to Under Secretary Franklin D. Roosevelt, Jr. from 1963 to 1965, to join the Equal Employment Opportunity Commission.

Mr. Royer was born on February 9, 1907 in Okarchee, Oklahoma (Indian Territory). He received his LL.B. from Columbus University.

From 1932 to 1955, Royer was president, manager, and treasurer of the Premier Cab Association, Incorporated, Washington, D.C. which he founded. The various other posts he has held in the taxicab industry are as follows: Director of the National Taxicab Owners Association (1941-1945), Chairman of the Washington, D.C. Taxicab Industry Committee (1937-1943), and founder, president and general manager of the Combined Cab Services, Incorporated (1942-1955). Mr. Royer was also the founder of Columbia Mutual Insurance Company, and owner of a restaurant, a garage, a finance company, and a management corporation.

During World War II he served as the Assistant Chief of Transportation for D.C. Civil Defense. He was also a member of the D.C. Commissioners' Traffic Advisory Committee (1939-1943). Following the war, he represented the U.S. Taxicab Industry on the Uniform Traffic Rules and Regulations Committee established by President Truman in 1946, and served on the Transportation Committee of several Inaugural Committees.

Mr. Royer was a member of the transportation branch of the Secretary of the Navy's Office while he was in the United States Navy as a Lieutenant. He is also an authority on Polled Hereford cattle and has worked with cattle and associated endeavors since 1946.

Mr. Royer and his wife, the former Mary Louise Jennings, make their home in Bushy Park, Howard County, Maryland. They have two sons, Robert J. and William L.

FELIX E. SALINAS

Special Assistant to Member
June 29, 1967 to present

Until his recent appointment with the Equal Employment Opportunity Commission, Felix E. Salinas practiced law with the firm of Sanchez, Salinas, and Martinez in Houston, Texas. He became an auditor and accountant for the City of Albuquerque after serving in Korea in the United States Army as a commissioned officer. He was also the Director of Purchasing and Personnel at South Texas Junior College in Houston (1962).

Mr. Salinas a native of Texas, received his B.B.A. degree from the University of Texas and his Juris Doctors degree from South Texas College of Law.

BEN D. SEGAL

Chief, Office of Liaison
October 24, 1965-April 5, 1968

Ben D. Segal, presently with the District of Columbia Government, was Director of the Commission's Office of Liaison until April 1968. Prior to that, he served as Special Assistant for Employment on the President's Council on Equal Opportunity.

Mr. Segal has been very active in the area of civil rights. He is a member of the D.C. Advisory Committee to the U.S. Commission on Civil Rights and Chairman of its Subcommittee on Equal Employment Opportunity. He has received a number of awards for his work including the 1964 Washington, D. C. Annual Award for "His Dedicated and Steadfast Leadership in the Advancement of Human Rights and Equal Opportunity." In 1965 he was named to the annual Afro-American Honor Roll and presented a plaque for his efforts in behalf of fair employment and fair housing in the Nation's Capital.

Prior to working for the Government, Mr. Segal was employed by the International Union of Electrical Workers, AFL-CIO, where he served as Director of the National and International Affairs Department. In this capacity, he coordinated the Union's education, civil rights, political-legislative and international affairs programs. In addition to his work with the IUE, he has worked for the National CIO, the Textile Union Workers of America in the South, and the International Ladies' Garment Union. He has served five terms as President of the Workers Education Local of the American Federation of Teachers, AFL-CIO, and is presently a member of their executive board.

Mr. Segal has written and edited a number of pamphlets, articles and study guides in the field of civil rights. Among these are "Racism in the South," "Industrialization in the South," "Civil Rights in the Nation's Capital: A Decade of Progress," "Fair Employment in the Nation's Capital," "Report on Washington, D.C. Employment." He served on the boards of numerous civil rights and social action organizations including the National Association of Intergroup Relations Officials (NAIRO), the NAACP, the Urban League, and others.

DAVID SHEFRIN

Director, Public Affairs Staff
February 8, 1967-September 29, 1967

Mr. Shefrin was a consultant with the Equal Employment Opportunity Commission before his appointment as Public Affairs Officer. Prior to joining the Commission, he was President of the Institute of Public Affairs, New York City. He has also worked with the American Broadcasting Company, National Broadcasting Company and the News Division of Columbia Broadcasting System.

Mr. Shefrin received his B.J. and M.A. degrees in Journalism from the University of Missouri.

STEPHEN N. SHULMAN

Chairman

September 21, 1966 to July 1, 1967

Stephen N. Shulman received his A.B. degree from Harvard in 1954. Following his graduation he worked in industrial relations for Bendix Aviation Corporation, first at the Friez Instrument Division in Towson, Maryland and later at Utica Division in Utica, New York. Mr. Shulman then enrolled in Yale University where he was the editor of the Law Journal. After graduating cum laude in 1958, he was admitted to the Connecticut Bar and served as a law clerk to Justice Harlan, United States Supreme Court for the October Term 1958.

His background also includes experience as a Visiting Assistant Professor of Law at the University of Michigan (1959) and a Visiting Professor of Management at the University of Oklahoma (1965), as an associate in the firm of Covington and Burling in Washington (1959-1960), and an assistant United States Attorney in Washington (1960-1961). From this position Mr. Shulman went to the Department of Labor to accept the post of Executive Assistant to the Secretary of Labor, Arthur J. Goldberg (1962). While in that post, he served as Acting Executive Vice-Chairman of the President's Committee on Equal Employment Opportunity. He was the Deputy Assistant Secretary of Defense in charge of Civilian Personnel, Industrial Relations and Civil Rights. Mr. Shulman was also the General Counsel, United States Air Force (1965-1966) prior to accepting the duties of Chairman of the Equal Employment Opportunity Commission.

Mr. Shulman is a member of the Order of Coif, the Cumme Laude Society, Phi Alpha Delta, and Book and Gavel. In 1966, Shulman was awarded the William A. Jump Memorial Foundation Award for exemplary service in public administration in the Departments of Labor and Defense.

Born on April 6, 1933, in New Haven, Connecticut, Mr. Shulman is the son of Harry and Rea Karrel Shulman. He was married on August 14, 1954, to Sandra Paula Still. They now reside in Arlington, Virginia with their three children, Harry, Dean Jeffrey and John David.

DANIEL STEINER

General Counsel
December 10, 1967 to present

Daniel Steiner received his A.B. degree magna cum laude from Harvard in 1954. After graduation, he studied for a year at the University of London and then enrolled in Harvard Law School where he received his LL.B. in 1958.

Following a brief tour in the United States Air Force, he was admitted to the New York Bar and spent one year as a Fellow of the Association of the Bar, New York. After taking advantage of the fellowship, Mr. Steiner was engaged in a private practice in the firm of Patterson, Belknap and Webb in New York City. In 1965 he took a leave of absence to become the Deputy Assistant and then Assistant General Counsel for Legislation and Program in the Agency for International Development. He left this position in 1967 to join the Equal Employment Opportunity Commission as General Counsel.

Mr. Steiner is a member of the Association of the Bar, the Community Service Society and the Puerto Rican Social Services.

A native of Mt. Vernon, New York, Mr. Steiner is married to the former Prudence Linder. They have two children, Elizabeth and Joshua.

LORENZO TRAYLOR

Area Director, Los Angeles
July 28, 1966 to present

Lorenzo Traylor, a native of Georgia, received his B.S. from Tennessee State College. He continued his education at Columbia University Teachers' College where he earned his M.A. and at the University of Denver where he was awarded his Masters degree in social work.

Mr. Traylor worked with the Economic and Youth Opportunities program in Los Angeles for several years. As Programs Management Director, 1965-1966, he was responsible for the monitoring and supervision of anti-poverty programs in Los Angeles County.

Mr. Traylor is President of the Los Angeles Area Chapter of the National Association of Social Workers and past president of the NAACP, Pasadena Branch. He is married and resides in Altadena, California.

MARY P. VALENTINO

Personnel Director
June 6, 1965 to present

Mary P. Valentino, who has been Personnel Director of the Equal Employment Opportunity Commission since its inception, received her B.A. from the University of Maryland in 1942 and her M.A. from Syracuse University in 1944. Prior to working for the EEOC, Mrs. Valentino was employed in the personnel divisions of the Office of Secretary, Department of Commerce and the Census Bureau. In addition, she has been a counselor at the University of Maryland and the Student Dean at Syracuse University.

GWENDOLYN WELLS

Acting Area Director
April 1, 1968 to present

Mrs. Gwendolyn Wells was detailed to her position as Area Director from Kansas City where she served as the Deputy Director and Equal Employment Officer. Prior to joining the Commission, Mrs. Wells was an assistant prosecuting attorney for Jackson County (Kansas City), Missouri, and a private attorney in association with Judges Lewis Clymer and Harold Holliday. In addition, she has been active in Kansas City civil rights and community organizations.

LEE G. WILLIAMS

Regional Director, Austin
(formerly Dallas Office)
December 10, 1966 to present

Lee G. Williams was appointed the Regional Director of the first EEOC field office to be established--Dallas Regional Office. That office was moved to Austin in September 1966 with Mr. Williams continuing in the same capacity.

He has held posts with the General Counsel of Texas Employment Commission, 1938-1958; as attorney for the Industrial Union Department, AFL-CIO, 1958; and as Special Assistant to the Administrator of Bureau of Employment Security, U.S. Department of Labor, 1958-1965. He served with the U.S. Army during World War II.

Mr. Williams, a native of Louisiana, graduated from the University of Texas where he earned his B.A. and M.A. degrees in Political Science and his LL.B. degree. He is married to the former Mary Louise Skelley and they have one daughter.

VICENTE T. XIMENES

Commissioner
June 11, 1967 to present

Vicente T. Ximenes was born in Floresville, Texas, and began his career as a company clerk for the Civilian Conservation Corps in 1939. In 1941 he became a teacher and principal at the Floresville Elementary School. Then during World War II, Mr. Ximenes joined the United States Air Force and distinguished himself by flying 50 missions as lead bombardier. After being awarded the Air Medal and the Distinguished Flying Cross he was honorably discharged as a major.

After World War II, Mr. Ximenes enrolled in the University of New Mexico where he earned his B.A. degree in 1950 and his M.A. in economics in 1951. In 1955 he was awarded a scholarship to study at Fisk University's Race Relations Institute.

Before Mr. Ximenes was appointed Chairman of the Committee on Mexican-Americans and Commissioner of the Equal Employment Opportunity Commission, he was the Assistant Director and then Deputy Director in the Agency for International Development in Panama. His other government service includes assistant to the Inspector General, Office of Economic Opportunity (1965) and Program Economist with the Agency for International Development in Ecuador (1961-1964).

Vicente Ximenes married the former Maria Castella. They have four children, Steven, Ricardo, Olivia and Ana Maria.

APPENDIX C
ROSTER OF PERSONNEL

PERSONNEL ROSTER

Commissioners and Heads of Office

Office of Chairman

Chairman	Franklin D. Roosevelt, Jr.	June 1, 1965 - May 11, 1966
Special Assistant to Chairman	John H. Royer, Jr.	July 25, 1965 - July 30, 1966
Chairman	Stephen N. Shulman	Sept. 21, 1966 - July 1, 1967
Special Assistant to Chairman	Roger F. Lewis	Oct. 9, 1966 - July 17, 1967
	James L. Jones	Jan. 3, 1967 - July 30, 1967
Chairman	Clifford L. Alexander, Jr.	Aug. 4, 1967 to present
Special Assistant to Chairman	Frederick B. Abramson	Aug. 22, 1967 to present
	Gerald E. Frug	Aug. 22, 1967 to present

Members

Vice Chairman	Luther Holcomb	June 1, 1965 to present
Commissioners	Aileen C. Hernandez	June 1, 1965 - Nov. 10, 1966
	Samuel C. Jackson	June 1, 1965 - June 30, 1968
	Richard A. Graham	June 29, 1965 - July 1, 1966
	Vicente T. Ximenes	June 11, 1967 to present
	Elizabeth J. Kuck	Mar. 15, 1968 to present

Office of the Executive Director

Executive Director	N. Thompson Powers	July 6, 1965 - Oct. 20, 1965
	Herman Edelsberg	Oct. 22, 1965 - Mar. 5, 1967
	Gordon Chase	Mar. 6, 1967 to present

Office of General Counsel

General Counsel	Charles Duncan	Aug. 8, 1965 - Oct. 30, 1966
	*Kenneth Holbert	May 17, 1967 - Nov. 16, 1967
	Daniel Steiner	Dec. 10, 1967 to present
Deputy General Counsel	Richard Berg	Aug. 1, 1965 - May 16, 1967
	#George Draper	May 12, 1968 to present

Congressional Liaison Staff

Chief, Cong. Liaison Staff	William Kendrick	Aug. 1, 1965 - Apr. 12, 1968
	Warren I. Cikins	Feb. 26, 1967 to present

Public Affairs Staff

Director, Public Affairs Staff	Robert Gale	Aug. 1, 1965 - July 15, 1966
	#*Charles Caldwell	July 16, 1966 - Feb. 7, 1967
	David Shefrin	Feb. 8, 1967 - Sept. 29, 1967
	Michael Blumenfeld	Aug. 29, 1967 to present

Program Review and Analysis Staff

Chief, Program Review & Analysis	Peter Robertson	Feb. 6, 1967 - May 18, 1968
	#Q. Jack Buchanek	May 19, 1968 to present

Office of Liaison

(Office discontinued May 19, 1968)

Chief, Office of Liaison	Alfred Blumrosen	Aug. 4, 1965 - Oct. 23, 1965
	Ben D. Segal	Oct. 24, 1965 - Apr. 5, 1968

*Acting

#Biographical data not available.

Office of State and Community Affairs

(Originated May 19, 1968)

Director, Office of State
and Community Affairs

Peter Robertson

May 19, 1968 to present

Office of Research

Director of Research

Charles Markham
Vacancy

Nov. 24, 1965 - Oct. 8, 1968
Oct. 9, 1968

Office of Administration

Director of Administration
Personnel Director
Chief, Budget Division

John Eberle
Mary P. Valentino
#William Heneghan
Benjamin Orringer

June 20, 1965 to present
June 6, 1965 to present
June 20, 1965 - Sept. 9, 1967
Oct. 22, 1967 to present

Office of Compliance

Director, Office of Compliance

George Holland
*Kenneth Holbert
#Eric Springer
Robert L. Randolph
Alfred Blumrosen
Kenneth Holbert

Aug. 15, 1965 - July 9, 1966
July 5, 1966 - Apr. 2, 1967
Apr. 3, 1967 - Dec. 1, 1967
June 2, 1968 to present
Oct. 24, 1965 - Apr. 2, 1967
Apr. 9, 1967 to present

Chief of Conciliations

Office of Technical Assistance

(Office not filled until Feb. 12, 1967)

Director of Technical Asst.
Chief, Technical Assistance Div.

William Kendrick
Roger McKenzie
George O. Butler
Frank S. Caracciolo

Feb. 12, 1967 - Apr. 12, 1968
Sept. 20, 1965 - Nov. 18, 1966
Mar. 26, 1967 to present
Aug. 9, 1965 - June 16, 1967

Chief, Education Programs Div.

*Acting

#Biographical data not available.

Field Offices (Regional)

Atlanta

Regional Director Donald L. Hollowell Feb. 1, 1966 to present

Austin

(Moved from Dallas on Oct. 30, 1966)

Dallas Regional Director Lee G. Williams Dec. 10, 1965 - Oct. 29, 1966
Austin Regional Director Oct. 30, 1966 to present

Chicago

Regional Director *Marie Poston Jackson June 15, 1966 - Sept. 10, 1966
Elmer McLain Sept. 11, 1966 to present

Cleveland

Regional Director Chester Gray June 12, 1966 to present

New York

Regional Director Manuel Diaz, Jr. July 29, 1966 - Mar. 8, 1968
Maurice A. Lawrence Apr. 1, 1968 to present

San Francisco

Regional Director *Monte Posey Jan. 3, 1966 - Jan. 31, 1967
Frank Quinn Feb. 1, 1967 to present

*Acting

Field Offices (Area)

Albuquerque

Area Director Tom E. Robles Aug. 15, 1966 to present

Birmingham

Area Director #*John Heneghan Oct. 9, 1967 - May 4, 1968
Alan Gibbs May 5, 1968 to present

Kansas City

Area Director Charles Clark Aug. 1, 1966 to present

Los Angeles

Area Director Lorenzo Traylor July 28, 1966 to present

New Orleans

Area Director Glenn Clasen Sept. 11, 1966 to present

Washington Area

Area Director Marie P. Jackson July 2, 1967 - Mar. 31, 1968
**Gwendolyn Wells Apr. 1, 1968 to present

*Acting

#Biographical data not available

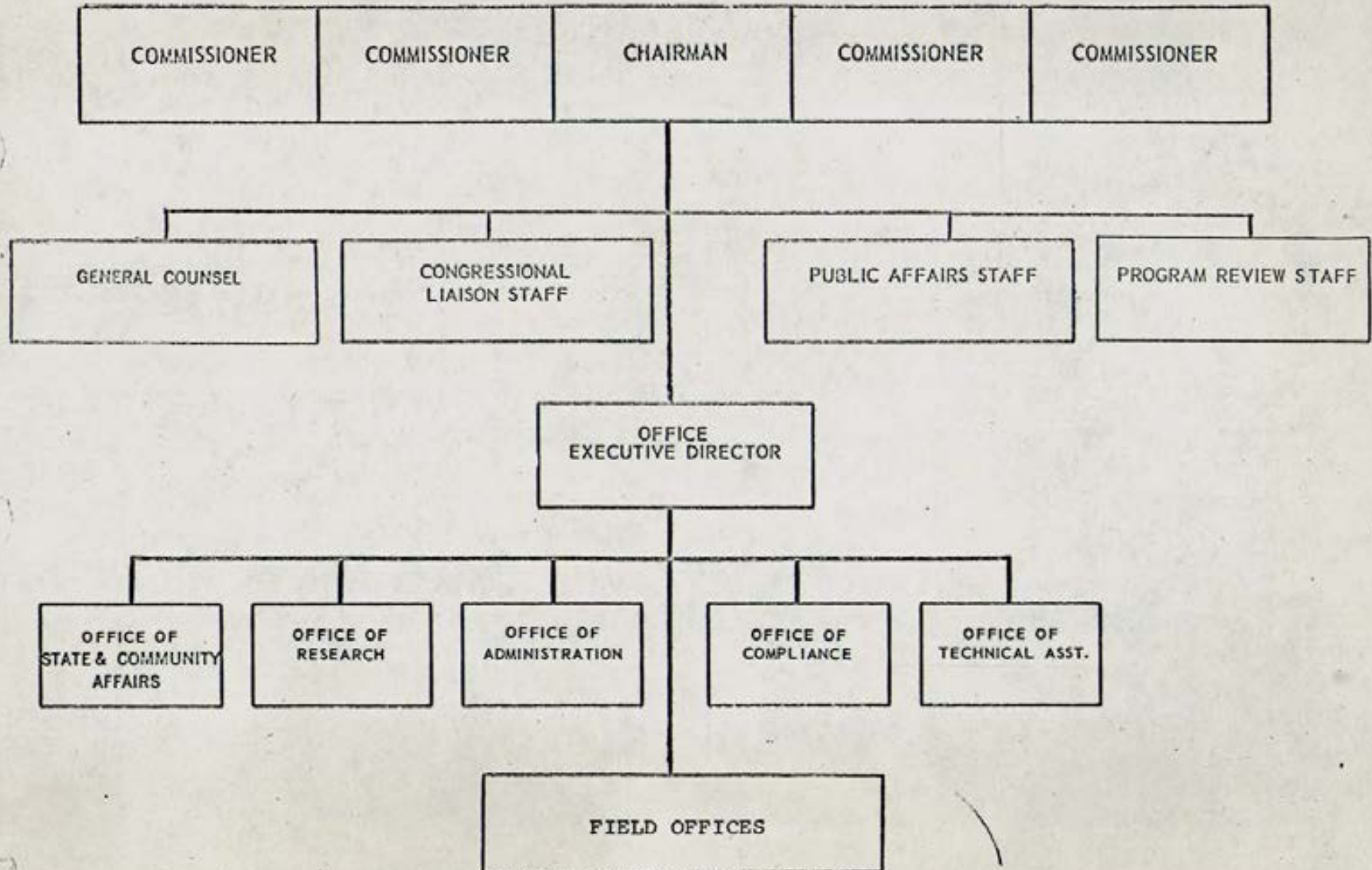
**Acting; detailed from Kansas Office.

APPENDIX D
COMMISSION ORGANIZATION

APPENDIX D

July 12, 1968

ORGANIZATION
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION - Functional Statement

Equal Employment Opportunity Commission

The mission of the Equal Employment Opportunity Commission is to obtain the highest possible degree of compliance with Title VII of the Civil Rights Act of 1964, which eliminates all employment discrimination based on race, color, religion, sex or national origin in all industries affecting interstate commerce. The five-member Commission performs its tasks through a system of formal and informal remedial procedures. If voluntary compliance is not obtained, the Commission may recommend to the Attorney General institution of a suit to enjoin a pattern or practice of discrimination.

Congressional Liaison Staff

Keeps members of Congress and the appropriate legislative and appropriations committees freely informed on matters relating to EEOC activities. Maintains liaison calculated to win Congressional acceptance and support of the Commission's program and to appraise the Commission of the intent and thinking of Congress.

Public Affairs Staff

Advises of means, media and programs which will best promote the general and broad interests of the Commission. Assures that the public-at-large is informed of its rights under Title VII of the Civil Rights Act of 1964.

Office of General Counsel

Provides legal advice and counsel on all phases of the work of the Commission which was created by Title VII of Public Law 88-352, known as the Civil Rights Act of 1964. Also works closely with the Attorney General on all litigation arising under the Equal Employment Opportunity provisions of the Civil Rights Act of 1964.

Office of General Counsel

Provides legal advice and counsel on all phases of the work of the Commission which was created by Title VII of Public Law 88-352, known as the Civil Rights Act of 1964. Also works closely with the Attorney General on all litigation arising under the Equal Employment Opportunity provisions of the Civil Rights Act of 1964.

Office of the Executive Director

Is responsible for the overall development of program needs, estimated fund requirements, operating plans and procedures; for the evaluation of program achievements; and for representing the Commission with the Bureau of the Budget.

Office of the Executive Director - Deputy Director

Serves as full Deputy to the Executive Director in the direction of administrative activities of the Commission.

Program Review and Analysis Staff

Is responsible for the review and analysis of regional field operations. Recommends corrective action and changes in Commission policies, procedures, practices and operations.

Office of State and Community Affairs

Implements the Equal Employment Opportunity Commission's nationwide partnership program between the Federal and state and local governments aimed at ending discrimination in employment and obtaining broad new job opportunities for minority group members. Through financial reimbursements and the provision of advice and technical assistance to personnel in state and local agencies attempts to improve their ability to aid in the mutual task assigned to those agencies and the EEOC.

Office of Administration

Is responsible for the administrative functions of the EEOC, which includes budget preparation and execution, all fiscal

and auditing matters, personnel management and utilization, procurement and personal service contracting and supply and office management.

Office of Administration - Budget Division

Is responsible for formulating and developing the fiscal and budget policies and programs.

Office of Administration - Administrative Services Division

Manages, directs, supervises and administers a variety of office service functions for the Washington office. Also provides policy and procedural guidance to the field regional offices.

Office of Administration - Personnel Division

Is responsible for planning and directing a comprehensive personnel management program.

Office of Research

Is responsible for determining the quantitative information required by the Commission in planning and carrying out its functions, for developing the necessary procedures and reporting systems for obtaining this information, and for conducting "in depth" technical studies to supplement the activities of the other operating segments of the Commission.

Office of Research - Technical Studies Division

Conducts research studies required by the operation programs of the Commission. In depth analysis of economic factors, local customs and other behavior determinants entering into prevailing employment practices for use in planning and developing the action programs of the Commission.

Office of Research - Reports Division

Collects detailed data on the utilization of minority group persons by employers, labor organizations, joint labor-management apprenticeship committees, and employment agencies; evaluates such data for purposes of determining their statistical validity; obtains information which will be analyzed and used in establishing Commission policies and in priorities, and in supporting the various compliance, technical assistance and legislative programs of the Commission.

Office of Technical Assistance

Participates in the development of the policies and programs of the Commission with specific responsibility for implementation of its programs of technical assistance and education.

Office of Technical Assistance - Technical Assistance Division

Primarily responsible for providing assistance to employers, unions, and employment agencies in development of affirmative action policies and procedures to bring them into compliance with Title VII of the Civil Rights Act of 1964.

Office of Technical Assistance - Education Programs Divisions

Is responsible for providing the detailed analysis of employment practices, patterns and trends to anticipate possible areas of violation of Title VII. Develops educational brochures, exhibits, and materials for the enlightenment of persons and groups affected by the provisions and intent of Title VII to maximize the degree of voluntary compliance.

Office of Compliance

Is responsible for developing consistency in the articulation of Commission policy and standards for investigating and conciliating employment discrimination complaints; for processing

searches on Commission decisions, conciliation agreements and General Counsel opinion letters through the information retrieval system; for preparing statistics relative to the compliance process; and for resolving unusually difficult investigations and conciliations.

Office of Compliance - Conciliation Division

Is responsible for conducting, coordinating, and directing the conciliation of those cases which are inter-regional in scope, of a sensitive nature, on National interest or contain other significant developments requiring consideration at the National level. Maintains continuing alertness for cases, such as those where a pattern or practice of resistance appears, that may lead to court action by the Attorney General. Provides advice and assistance to the field. Continually evaluates conciliation policies and procedures and recommends revised or new policies and procedures to keep the program attuned to current demands.

Office of Compliance - Control Division

Is responsible for processing and controlling searches on Commission decisions, conciliation agreements and General Counsel opinion letters through the information retrieval data base established in conjunction with an automated library of Commission legal materials. Is also responsible for the development and implementation of an internal information system for statistics relating to the processing of complaints and the status of charges and units of work at every stage of the compliance process.

Office of Compliance - Decisions and Interpretations Division

Is responsible for reviewing Final Investigative Reports and factual findings in order to prepare drafts of decisions for Commission action consistent with Commission policy. Screens, edits and prepares approved Commission decisions for placement

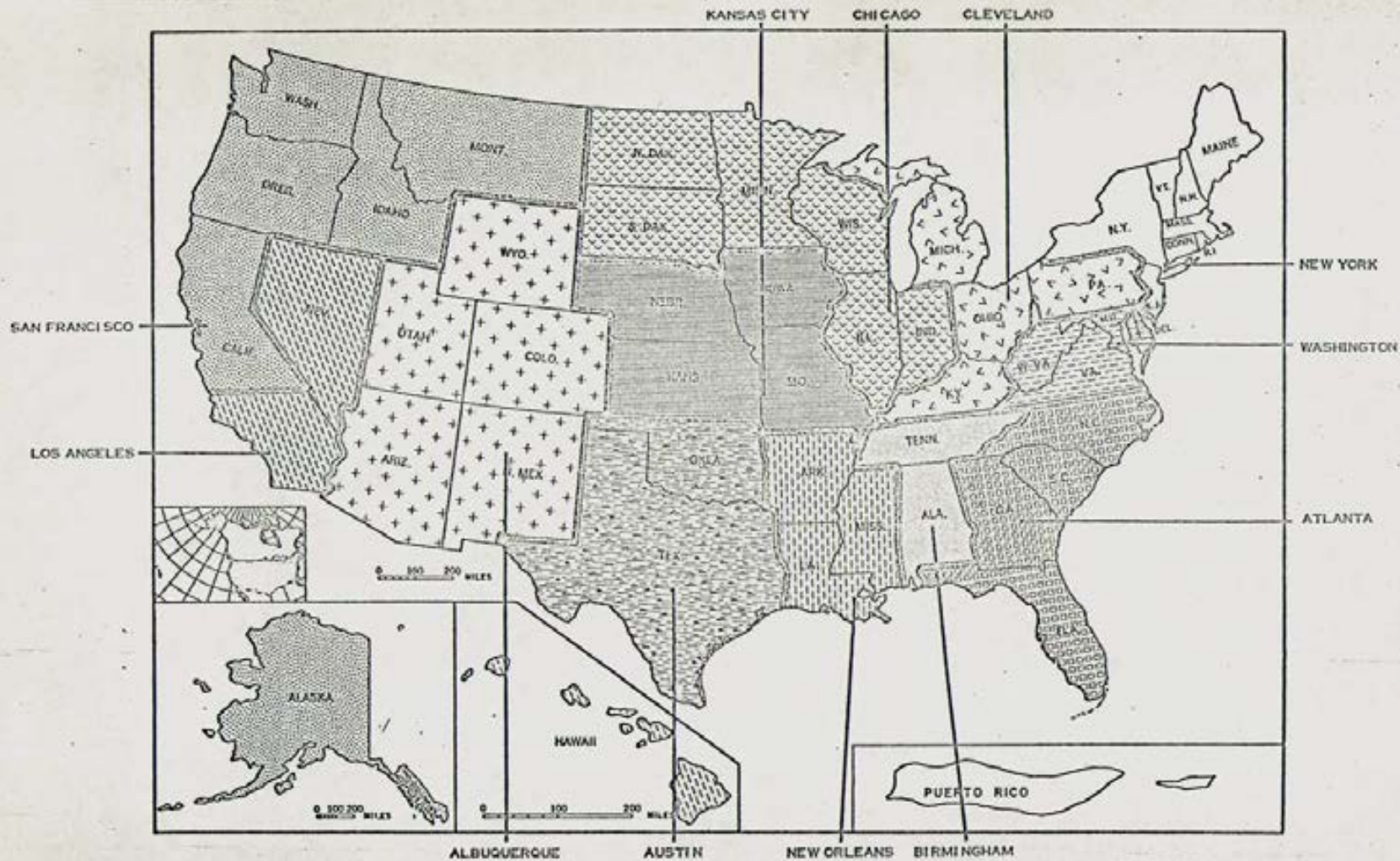
6

in the magnetic tape library. Issues uniform interpretations, advice and guides in published form for use of field and headquarters office personnel. Assists in identifying conciliation objectives, coordinates with other offices on matters of mutual concern, participates in decisions relating to issues, distribution of personnel to handle the variety of issues and appropriate standards of case handling and presentation.

Field Offices

Responsible for carrying out the EEOC activities and programs involved in eliminating discrimination in employment practices because of race, color, religion, sex, or national origin.

EEOC REGIONAL AND AREA OFFICE BOUNDARIES



Approved: January 2, 1968

APPENDIX E
BUDGET ANALYSIS

APPENDIX E

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Analysis of Estimates and Obligations 1965 - 1969
(Dollar amounts in thousands)

Object Class	1965 Oblig	1966 Approp	1966 Oblig	1967 Approp	1967 Oblig	1968 Approp Act. 2/	Current Estimate of 1968 Oblig	1969 Base	1969 Request	Increase Over 1969 Base	1969 Appropriation
Personnel Compensation:											
Permanent positions	13	1,622	1,200	2,832	2,573	3,806	3,468	4,084	7,958	+3,874	4,977,400
Positions other than Permanent:											
Temporary & Part-time	...	44	78	73	129	163	280	167	167	...	294,000
Consultants	...	38	9	66	78	71	73	75	114	+ 41	117,000
Sub-Totals	...	82	87	139	207	234	353	240	281	+ 41	411,000
Reimbursable Details	28	75	82	6	19	5	62	5	...	- 5	...
Other (Overtime)	...	25	41	25	40	52	50	52	52	...	87,000
Total	41	1,804	1,410	3,002	2,839	4,097	3,979	4,381	8,291	+3,910	5,475,400
Other Objects:											
Personnel benefits	1	129	94	221	203	296	275	318	611	+ 293	389,500
Travel	4	218	158	409	326	512	496	512	1,342	+ 830	615,500
Transportation of things	...	19	5	30	14	30	30	30	30	...	27,600
Rent, Communications & Utilities	5	275	367	419	247	189	271	189	493	+ 304	369,600
Printing and reproduction	...	96	106	88	66	90	123	90	128	+ 38	99,000
Other Services:											
FEP program	4	700	700	700	700	700	800	+ 100	700,000
Other	155	63	120	53	127	53	147	53	60	+ 7	69,000
Services of other agencies	31	424	529	218	365	533	462	533	918	+ 385	801,400
Supplies and materials	1	33	67	60	55	60	77	60	106	+ 46	77,000
Equipment	169	189	238	40	45	70	70	70	314	+ 244	126,000
Total	407	3,250 ^{1/}	3,098	5,240	4,937 ^{3/}	6,630	6,630	6,936 ^{4/}	13,093	+6,157	8,750,000

1/ 2,750 regular bill; 500 supplemental.

2/ More than 1968 appropriation by 130 (-29 transfer to GSA; +159 increased pay costs).

3/ Excludes GSA Rent Transfer of 247.

4/ Exceeds 1968 appropriation by +306 (+229 explained in footnote 2; +60 annualization of 1968 program; +17 for 1 extra compensable day).

APPENDIX F

"HOW TO FILE A COMPLAINT"

APPENDIX F

CHARGE OF DISCRIMINATION

(If you have a complaint, fill in this form and mail it to the Equal Employment Opportunity Commission's Regional Office in your area. In most cases, a charge must be filed with the EEOC within a specified time after the discriminatory act took place. IT IS THEREFORE IMPORTANT TO FILE YOUR CHARGE AS SOON AS POSSIBLE.

This form is to be used only to file a charge of discrimination based on RACE, COLOR, RELIGION, SEX, or NATIONAL ORIGIN.

Case File No. _____

(PLEASE PRINT OR TYPE)

1 Your Name (Mr., Mrs., Miss) _____ Phone Number _____
indicate

Street Address _____
City _____ State _____ Zip Code _____

2 WAS THE DISCRIMINATION BECAUSE OF: (Please check one)
Race or Color Religious Creed National Origin Sex

3 Who discriminated against you? Give the name and address of the employer, labor organization, employment agency and/or apprenticeship committee. If more than one, list all.

Name _____
Street address _____
City _____ State _____ Zip Code _____
AND (other parties if any) _____

4 Have you filed this charge with a state or local government agency? Yes No
When MONTH _____ DAY _____ YEAR _____

5 If your charge is against a company or a union, how many employees or members? Under 25 Over 25

6 The most recent date on which this discrimination took place: Month _____ Day _____ Year _____

7 Explain what unfair thing was done to you. How were other persons treated differently? (Use extra sheet if necessary.)

8 I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Date _____ (Sign your name)

Subscribed and sworn to before me this _____ day of _____ 196 _____

(Name)

(Title)

If it is difficult for you to get a Notary Public to sign this, sign your own name and mail to the Regional Office. The Commission will help you to get the form sworn to.

YOU HAVE A RIGHT TO COMPLAIN IF:

Employer refuses to hire you when you are qualified for a job opening.

Employer refuses to let you file application but accepts others.

Union or employment agency refuses to refer you to job opening.

Union refuses to accept you into membership.

You are fired or laid off without cause.

You are passed over for promotion for which you are qualified.

You are paid less than others for comparable work.

You are placed in segregated seniority line.

You are left out of training or apprenticeship programs.

AND . . .

The reason for any of these acts is your race, color, religion, sex, or national origin.

You have a right to complain if the employer provides racially segregated lunchrooms, locker rooms, rest rooms, recreation facilities.

WE CANNOT HANDLE CERTAIN CHARGES:

The Commission cannot handle certain charges, such as employment of physically and mentally handicapped, or charges concerning age, housing or schools or discrimination by Federal, state, or local governments, except that we can handle charges involving state employment offices.

AFTER A CHARGE IS FILED:

- The Commission will review your charge and contact you by mail or in person.
- The Commission investigates your charge and if it finds it is justified, the Commission tries by conciliation to end the discrimination.
- If the Commission fails you may take your complaint to court.
- The states with Fair Employment Practice laws to which we must defer are followed by asterisks in the list of regional offices. If your state has an asterisk, the Commission is required to send your charge to the state agency. You will be notified if this is done and you have a right to come back to the Commission after 60 days if you are not satisfied with the state action.

NOTE:

The law covers employers of 25 or more people; labor unions with 25 or more members, or which operate hiring halls; and employment agencies.

YOU CAN HELP END DISCRIMINATION

If you believe your employment problem is covered by Title VII fill out the form on the other side and send it to the regional office under which your state is listed on back cover. The Commission will contact you.

Freedom from discrimination is not enough. There must be freedom from the disadvantage that 200 years of discrimination helped create. There must be freedom of opportunity, freedom to work.

—President Lyndon B. Johnson, April 28, 1966

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

REGIONAL OFFICES

ALBUQUERQUE/Room 7515, Federal Office Building, 500 Gold Street, SW., Albuquerque, New Mexico 87101 ■ Arizona, Colorado,* New Mexico,* Utah,* Wyoming.*

ATLANTA/Room 417, 1776 Peachtree Street, SW., Atlanta, Georgia 30309 ■ Florida, Georgia, North Carolina, South Carolina, Virgin Islands, Canal Zone.

AUSTIN/Room G 115, 300 East 8th Street, Austin, Texas 78701 ■ Oklahoma, Texas.

BIRMINGHAM/Suite 824, 2121 Eighth Avenue, Birmingham, Alabama 35203 ■ Alabama, Tennessee.

CHICAGO/Room 1832, U.S. Court House and Federal Building, 219 So. Dearborn Street, Chicago, Illinois 60604 ■ Illinois,* Indiana,* Minnesota,* North Dakota, South Dakota, Wisconsin.*

CLEVELAND/Room 402, Engineers' Building, 1365 Ontario Street, Cleveland, Ohio 44113 ■ Kentucky,* Michigan,* Ohio,* Pennsylvania.*

KANSAS CITY/Room 305, 911 Walnut Street, Kansas City, Missouri 64106 ■ Iowa,* Kansas,* Missouri,* Nebraska.*

LOS ANGELES/Room 340, 1543 West Olympic Boulevard, Los Angeles, California 90015 ■ California* (Southern: San Luis Obispo, Kern and San Bernardino Counties and territory south), Hawaii,* Nevada,* American Samoa, Guam, Wake Island.

NEW ORLEANS/Masonic Temple Building, 333 St. Charles Avenue, New Orleans, Louisiana 70130 ■ Arkansas, Louisiana, Mississippi.

NEW YORK/Suite 1306, 26 Federal Plaza (in Foley Square), New York, New York 10017 ■ Connecticut,* Maine, Massachusetts,* New Hampshire, New Jersey,* New York,* Puerto Rico,* Rhode Island,* Vermont.

SAN FRANCISCO/Room 126, Appraisers' Building, 630 Sansome Street, San Francisco, California 94111 ■ Alaska,* California* (Northern: Territory north of San Luis Obispo, Kern and San Bernardino County Lines), Idaho, Montana, Oregon,* Washington.*

WASHINGTON, D.C./Suite 413, 1717 H St., NW., Washington, D.C. 20506 ■ Delaware,* District of Columbia,* Maryland,* Virginia, West Virginia.*

NOTE: Asterisk (*) indicates the States, Washington, D.C. and territories with an FEP law to which the Commission defers.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

1800 G STREET, NW.
WASHINGTON, D.C. 20506

HOW TO FILE A COMPLAINT AGAINST UNLAWFUL JOB DISCRIMINATION



DISCRIMINATION IS UNLAWFUL

Discrimination in employment because of race, color, religion, sex, or national origin, is prohibited under Title VII of the Civil Rights Law. The Equal Employment Opportunity Commission will act on charges of discrimination in employment committed by employers, labor organizations, state and private employment agencies and labor-management apprenticeship programs.

CHARGES MAY BE FILED BY:

Any person who believes he has been discriminated against in an employment situation.

A Commissioner who has reason to believe that an unlawful employment practice has been committed by a company, labor union, employment agency, or an apprenticeship or training program.

The company, union, or employment agency is forbidden by law to punish you for filing a charge, for acting as a witness, or for assisting the Commission to establish the cause for the charge.

QUEJA DE DISCRIMINACION

(Si usted tiene una queja, llene ésta forma y envíela a la Oficina Regional de la Comisión de Oportunidades Iguales en el Empleo de la zona donde usted o mas pronto posible. Tiene que enviarse dentro de 90 días desde la en que el acto discriminatorio ha ocurrido. (Véase la dirección postal en la página de atrás.) (Sírvese escribir con letra de molde)

Esta forma ha de usarse solamente para radicar una QUEJA DE DISCRIMEN CON MOTIVO DE LA RAZA, COLOR, RELIGION, SEXO, O ORIGEN NACIONAL. Núm. de Caso _____

1 Su nombre (Sr., Sra., Srita.) _____ Núm. de Teléfono _____
Dirección postal _____
Ciudad _____ Estado _____ Código postal _____

2 ¿A QUE SE DEBIO EL DISCRIMEN?: (Marque la causa pertinente)
 Raza o Color Credo Religioso Nacionalidad de origen Sexo

3 ¿Quién cometió el discrimen contra usted? Mencione el nombre y la dirección postal del Empleador, sindicato obrero, agencia de empleo y comité de aprendizaje. Menciónelos todos si es necesario.
Nombre _____
Dirección postal _____
Ciudad _____ Estado _____ Código postal _____
OTROS (otras personas u organizaciones) _____

4 ¿Ha radicado usted esta queja en alguna agencia del gobierno del estado o de la localidad? Sí Cuando _____ No

5 Si su queja es contra una empresa o sindicato obrero, ¿cuántos empleados o miembros tiene?
Mas de 25 Mas de 50 Mas de 75

6 La fecha más reciente en que este discrimen sucedió: Mes _____ Día _____ Año _____

7 Explique la acción injusta cometida contra usted. ¿Cómo tratán otras personas diferente que a usted? _____

Afirmo que he leído la queja arriba descrita y que la misma es cierta, según mi mejor entender, información y creencia.

8 Fecha _____ (Firme su nombre)

Firmado y jurado ante mí hoy a _____ de _____ de 19_____.
(Nombre) (Titulo)

Si es difícil conseguir un notario público que le firme este juramento, firme su propio nombre. La Comisión le ayudará a conseguir que esta forma sea jurada.

Si lo ignoran para un ascenso estando usted capacitado para el puesto.

Si le pagan a usted un salario inferior al que le pagan a otros por un trabajo semejante.

Si lo colocan a usted en una lista de antigüedad separada conforme a la raza.

Si lo dejan a usted fuera de los programas de adiestramiento o Entrenamiento.

Y CUANDO . . .

La razón por cualquiera de estos actos es raza, color, religión, sexo u origen nacional.

Asimismo, si el Empleador mantiene instalaciones separadas racialmente para comedores, guarderías, cuartos de baño y salones de recreo.

NO PODEMOS ATENDER CIERTAS QUEJAS:

La comisión no participa en ciertos tipos de casos: Como el empleo de personas físicamente y mentalmente incapacitadas, la vejez, viviendas, escuelas o, discriminación por gobiernos locales, estatales o federales, pero inclusive departamentos de empleo de los estados.

DESPUES DE PRESENTARSE UNA QUEJA:

La Comisión revisará su queja y se comunicará con usted por correo o en persona.

La Comisión investigará su queja y si la encuentra justificada, la Comisión tratará de poner término a la discriminación por medio de la conciliación.

Si los esfuerzos de la Comisión no resultan con éxito, usted tiene la libertad de llevar su queja a un tribunal de justicia.

Los estados que tienen leyes que prohíben discriminación y a cuales tenemos que diferir las causas están seguidos de un asterisco en la lista de nuestras oficinas regionales. Si su estado está indicado con asterisco (*), la Comisión está obligada a enviar su queja a la agencia del estado. Usted será notificado si la Comisión hace esto y usted tiene derecho a poner su queja una vez más con la Comisión si usted no está satisfecho con la acción del estado.

NOTA:

La ley abarca a Empleadores de 50 o más trabajadores; sindicatos obreros con 50 o más miembros; y agencias del empleo. El 2 de julio de 1968 la ley abarcará a patrones y sindicatos obreros con 25 o más empleados o miembros.

USTED PUEDE AYUDAR A TERMINAR CON LA DISCRIMINACION

Si usted cree que su problema de empleo está cubierto bajo el Título Siete (VII) llene la forma en el otro lado de la página y envíela a la oficina regional de su estado. La Comisión le notificará tocante a la acción que tomara.

"La libertad contra la discriminación no es suficiente. Ha de haber libertad contra la desventaja que 200 años de discriminación han contribuido a crear. Ha de haber la libertad de oportunidad, la libertad de trabajar." — Presidente Lyndon B. Johnson, 28 de abril, 1966.

LA COMISION DE OPORTUNIDADES IGUALES EN EL EMPLEO

(Equal Employment Opportunity Commission)

Oficinas Regionales

Direcciones y Estados Cubiertos

ALBUQUERQUE/Room 7515, Federal Office Building, 500 Gold Street, S.W., Albuquerque, New Mexico 87101 ■ Arizona, Colorado,* New Mexico,* Utah,* Wyoming.*

ATLANTA/Room 417, 1776 Peachtree Street, S.W., Atlanta, Georgia 30309 ■ Florida, Georgia, North Carolina, South Carolina.

AUSTIN/Room G 115, 300 East 8th Street, Austin, Texas 78701 ■ Oklahoma, Texas.

BIRMINGHAM/Suite 824, 2121 Eighth Avenue, Birmingham, Alabama 35203 ■ Alabama, Tennessee.

CHICAGO/Room 1832, U.S. Court House and Fed'l. Bldg., 219 So. Dearborn Street, Chicago, Illinois 60604 ■ Illinois,* Indiana,* Minnesota,* North Dakota, South Dakota, Wisconsin.*

CLEVELAND/Room 402, Engineers' Building, 1365 Ontario Street, Cleveland, Ohio 44113 ■ Kentucky,* Michigan,* Ohio,* Pennsylvania.*

KANSAS CITY/Room 305, 911 Walnut Street, Kansas City, Missouri 64106 ■ Iowa,* Kansas,* Missouri,* Nebraska.*

LOS ANGELES/Room 7703, Federal Office Building, 300 North Los Angeles Street, Los Angeles, California 90012 ■ California* (Southern: San Luis Obispo, Kern and San Bernardino Counties and territory south), Hawaii,* Nevada.*

NEW ORLEANS/Masonic Temple Building, 333 St. Charles Avenue, New Orleans, Louisiana 70130 ■ Arkansas, Louisiana, Mississippi.

NEW YORK/Suite 701, 346 Broadway, New York, New York 10013 ■ Connecticut,* Maine, Massachusetts,* New Hampshire, New Jersey,* New York,* Puerto Rico,* Rhode Island,* Vermont.

SAN FRANCISCO/Room 126, Appraisers' Building, 630 Sansome Street, San Francisco, California 94111 ■ Alaska,* California* (Northern: Territory north of San Luis Obispo, Kern and San Bernardino County Lines), Idaho, Montana, Oregon,* Washington.*

WASHINGTON, D. C./Suite 413, 1717 H St., N.W., Washington, D. C. 20506 ■ Delaware,* District of Columbia,* Maryland,* Virginia, West Virginia.*

Nota: Donde indicado por asterisco (*) se refiere a los estados, Washington, D. C. y territorios con leyes contra la discriminación, a cuales la comisión se tiene que diferir.

LA COMISION DE OPORTUNIDADES IGUALES EN EL EMPLEO

(EQUAL EMPLOYMENT OPPORTUNITY COMMISSION)

1800 G Street, N.W.
Washington, D.C. 20506

COMO PRESENTAR UNA QUEJA CONTRA LA DISCRIMINACION ILEGAL EN EL EMPLEO



LA DISCRIMINACION ES ILEGAL

La discriminación en el empleo a causa de la raza, el color, la religión, el sexo, o el origen nacional está prohibida según el Título VII de la Ley de Derechos Civiles. La Comisión de Oportunidades Iguales en el Empleo tomará acción en las quejas de discriminación en el empleo, cometidas por los Empleadores, organizaciones obreras, agencias de empleo del estado o particulares, y programas de aprendizaje Manejados por Empleadores y Trabajadores.

LAS QUEJAS PUEDEN SER PRESENTADAS POR:

Toda persona que crea que se le haya discriminado en circunstancias relacionadas con el empleo.

Un Comisionado que crea que se haya incurrido alguna práctica ilegal en el empleo, por parte de una empresa, sindicato obrero, agencia de empleo, o programa de aprendizaje o Entrenamiento.

Se prohíbe que la empresa, el sindicato obrero, o la agencia de empleo le castigue a usted por el hecho de presentar una queja, servir como testigo, o ayudar a la Comisión a establecer la causa de la queja.

USTED TIENE EL DERECHO DE PRESENTAR UNA QUEJA SI:

El Empleador no lo emplea a pesar de que usted cumple con los requisitos de la ocupación vacante.

El Empleador no acepta su solicitud de empleo, pero acepta las de otros solicitantes.

El sindicato obrero o la agencia de empleo no lo refiere a usted a una ocupación vacante.

El sindicato obrero no lo admite como miembro.

Si lo desocupan o queda usted sin trabajo sin causa justa.

EEOC

APPENDIX G
MEMORANDUM OF UNDERSTANDING

APPENDIX G



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

MEMORANDUM OF UNDERSTANDING

In order to provide for efficient cooperation and coordination of enforcement activities under Title VII of the Civil Rights Act of 1964 (the "Act") and the _____ Law of _____ (State), the Equal Employment Opportunity Commission (the "Commission") and _____ (the "Agency") hereby express adherence to the processing and investigation of charges of discrimination in employment:

1. When a charge is filed with the Agency and the Agency has reason to believe it involves a respondent who is subject to the jurisdiction of the Commission, the Agency will inform the charging party of his federal rights and advise him, at some time before the expiration of the 60- or 120 day period of deference provided by section 706(b) of the Act of his right to file a complaint with the Commission. If the charging party at the time of filing a charge with the Agency indicates to the Agency that he wishes to file with the Commission, the Agency will notify the Commission (on a form to be supplied by the Commission). The Commission will schedule the matter of assuming jurisdiction for review with the Agency at the expiration of the period of deference. If in the interim the case is closed by the Agency, the Commission will be notified by the Agency of the nature and basis of the disposition (on a form to be supplied by the Commission).
2. When the Commission receives a charge which must be deferred to the Agency under section 706(b) of the Act, the Commission will send by registered mail a copy of the charge, or the original, where requested, to the Agency, together with all other available information on the case. The period of deference provided by section 706(b) commences to run when the charge is sent. When information is forwarded to the Agency which is insufficient to constitute a charge or complaint for the purposes of either section 706(b) or the law of the Agency, the period of deference shall not commence to run until a charge sufficient in form and content has been filed with the agency. The Commission will notify the charging party of the deferral and the date thereof and will advise him that he should cooperate with the Agency in its handling of his case and that he may apply again to the Commission at the expiration of the period of deference. The Commission will schedule the matter for review with the Agency at the expiration of the period of deference. If in the interim the case is closed by the Agency, the Agency will notify the Commission as provided in Paragraph One.

3. At or after the expiration of the period of deference the Commission will ascertain whether the charging party wishes to invoke his federal rights. The Commission may advise the charging party to delay filing his charge during all or part of the period from 60 days after the Agency has taken jurisdiction until not later than 210 days from the act of discrimination, if it appears that the Agency will be able to achieve voluntary compliance within that period. The Commission will assure, however, that, where the charging party wishes to assert his federal rights his charge is filed and processed promptly.
4. In the course of its investigation of a charge the Commission shall have access to relevant information in the possession of the Agency, including its investigative files with respect to the same or related cases, and for this purpose representatives of the Commission will be permitted to copy or obtain copies of pertinent documents. The Commission shall in like circumstances grant to representatives of the Agency similar access to relevant information in its possession. To the extent permitted by law and by applicable policies and regulations similar access will be granted also to information in the possession of other federal agencies. However, the Commission and the Agency each reserves the right to deny access to information obtained in the course of conciliation where disclosure would be contrary to the statutory provisions or policies applicable to conciliation proceedings.
5. Where the same or related charges are pending before the Agency and the Commission, the Commission and the Agency will endeavor through consultation and mutual assistance to provide for efficient processing of the charges. In accordance with section 709(b) the Commission may designate the Agency or its employees to act for it in the course of investigation or conciliation and may reimburse the authority or its employees for their services.
6. Settlement of a case on terms satisfactory to the Agency shall not be deemed by the Commission dispositive of the charging party's rights under Title VII unless the charging party has accepted the terms as equitable and executed a written voluntary waiver (form to be supplied by the Commission) evidencing such acceptance.

Title:
Agency:

Chairman
Equal Employment Opportunity Comm.

Date

Date

APPENDIX H
STANDARD CONCILIATION AGREEMENTS



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

Case No.

In the Matter of the Conciliation Between
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, and

Complainant
and

CONCILIATION
AGREEMENT

Respondent

Charges having been filed under Title VII of the Civil Rights Act of 1964 by the charging party, the Commission having found reasonable cause to believe the charges to be true and the matter having been conciliated, the parties hereby agree to and do settle the above matter in the following extent and manner:

1. The Respondent agrees that the Commission, on request of any Charging Party or on its own motion, may review compliance with this Agreement. As a part of such review, the Commission may require written reports concerning compliance, may inspect the premises, examine witnesses, and examine and copy documents.
2. It is understood that this Agreement does not constitute an admission by any Respondent of any violation of Title VII of the Civil Rights Act of 1964.
3. The Charging Party hereby waives, releases and covenants not to sue any Respondent with respect to any matters which were or might have been alleged as charges filed with the Equal Employment Opportunity Commission, subject to performance by the Respondent of the promises and representations contained herein. The Commission shall determine whether the Respondent has complied with the terms of this Agreement.
4. All hiring, promotion practices, and other conditions of employment shall be maintained and conducted in a manner which does not discriminate on the basis of race, color, sex, religion or national origin in violation of Title VII of the Civil Rights Act of 1964.
5. The Respondent agrees that all facilities on the premises shall be available for the use of any employee without regard to race, color, religion or national origin; that there shall be no discrimination against any employee on said grounds with respect to the use of facilities, and that the notice required to be posted by Title VII of the Civil Rights Act of 1964 will be posted.
6. The Parties agree that there shall be no discrimination or retaliation of any kind against any person because of opposition to any practice declared unlawful under Title VII of the Civil Rights Act of 1964; or because of the filing of a charge; giving of testimony or assistance; or participation in any manner in any investigation, proceeding or hearing under Title VII of the Civil Rights Act of 1964.
7. The Respondent agrees to report in writing to the Chief of Conciliations, Equal Employment Opportunity Commission, Washington, D. C. 20506 when it has been completed the undertakings outlined in the following paragraphs of this Agreement. The report will describe the manner in which the undertakings were carried out. This report shall be submitted not later than ninety (90) days from the date of this Agreement.

Date

Date

Date: _____

I recommend approval of this settlement.

Conciliator

Approved on behalf of the Commission

Chief, Conciliation



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

Case No.

In the Matter of the Conciliation Between
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, and

Complainant
and

CONCILIATION
AGREEMENT

Respondent

Charges having been filed under Title VII of the Civil Rights Act of 1964 by the charging party, the Commission having found reasonable cause to believe the charges to be true and the matter having been conciliated, the parties hereby agree to and do settle the above matter in the following extent and manner:

1. The Respondent agrees that the Commission, on request of any Charging Party or on its own motion, may review compliance with this Agreement. As a part of such review, the Commission may require written reports concerning compliance, may inspect the premises, examine witnesses, and examine and copy documents.

2. It is understood that this Agreement does not constitute an admission by any Respondent of any violation of Title VII of the Civil Rights Act of 1964.

3. The Charging Party hereby waives, releases and covenants not to sue any Respondent with respect to any matters which were or might have been alleged as charges filed with the Equal Employment Opportunity Commission, subject to performance by the Respondent of the promises and representations contained herein. The Commission shall determine whether the Respondent has complied with the terms of this Agreement.

4. Respondent agrees that it will not exclude or expel from membership, or otherwise discriminate against any individual because of his race, color, religion, sex or national origin; or limit, segregate or classify its membership, or classify or fail or refuse to refer for employment any individual in any way which would deprive or tend to deprive him of employment opportunities or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment because of such individual's race, color, religion, sex or national origin.

5. Respondent agrees that it will not cause or attempt to cause an employer to discriminate against any individual on the basis of race, color, religion, sex or national origin; and that in the negotiation and administration of collective bargaining agreements, it will fairly represent all employees for whom it is the bargaining agent without regard to the race, color, religion, sex or national origin of said employees in accordance with the policies of the AFL-CIO, the International Union and Title VII of the Civil Rights Act of 1964.

6. The Parties agree that there shall be no discrimination or retaliation of any kind against any person because of opposition to any practice declared unlawful under Title VII of the Civil Rights Act of 1964; or because of the filing of a charge; giving of testimony or assistance; or participation in any manner in any investigation, proceeding or hearing under Title VII of the Civil Rights Act of 1964.

7. The Respondent agrees to report in writing to the Chief of Conciliations, Equal Employment Opportunity Commission, Washington, D. C. 20506, when it has completed the undertakings outlined in the following paragraphs of this Agreement. The report will describe the manner in which the undertakings were carried out. This report shall be submitted not later than ninety (90) days from the date of this Agreement.

8. The Respondent Union agrees that all provisions of its present collective bargaining agreement and any future agreement to be entered into between the Respondents will be strictly enforced where the provisions of the collective bargaining agreement affect Title VII of the Civil Rights Act of 1964 and further that all grievances based on alleged violations of Title VII of the Civil Rights Act of 1964 will be fully and vigorously processed through all phases of the grievances process.

APPENDIX I
COMPLAINT STATISTICS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Complaint Statistics: July 2, 1965 - June 30, 1966

TOTAL MATTERS ANALYZED

The office of Compliance has received and analyzed the following matters:

The following action has been taken (individual charges):

Deferred for state or local FEPC action	977
Additional information required	1383
No probable jurisdiction	2063
Other (close, withdrawn, pending reanalysis)	658
Recommended for investigation	3773

Status of Investigations (Individual charges)

Investigations completed	1659
In process and pending	2114

STATUS OF CONCILIATIONS

Recommended for conciliation (following Commission finding of cause)

Individual charges	704
Respondents	214

Successful conciliations:

Individual charges	111
Respondents	45

Unsuccessful conciliations:

Individual charges	60
Respondents	16 <u>1/</u>

In process and pending:

Individual charges	513
Respondents	146

Partially successful:

Individual charges	20
Respondents	7

1/ Attorney General suits recommended for 4 of these cases.

RECOMMENDED FOR INVESTIGATION, DEFERRED, AND ADDITIONAL
INFORMATION REQUIRED

Of the 8854 matters received and analyzed, the following have been recommended for investigation, deferred, or additional information required: 6133

The nature of the discrimination alleged was as follows:

Negro		3067
Race - Other		64
American Indian	10	
Caucasian	39	
Chinese	1	
Filipino	2	
Latin	4	
Spanish	8	
Race - Not Specified		123
National Origin		131
African	1	
Greek	2	
Latin American	8	
Mexican-American	72	
Cuban	2	
Italian	3	
Slavic	3	
Lebanese	1	
Not Specified	39	
Sex		2053
Religion		87
Not Specified		608

The nature of the employment problem or problems alleged was as follows:

Hiring	1400
Promotion	1253
Training and Apprenticeship	184
Segregated Facilities	322

Benefits	807
Wage Differential	679
Seniority	955
Layoff	447
Firing	474
State Employment Service - Referral	55
State Employment Service - Testing	9
Private Employment Service	2
Union - Referral	53
Union - Membership	120
Union - Apprenticeship	9
Other	457
Not Specified	162

The respondents involved in these matters were as follows:

Employer	5284
Union	1347
State Employment Service	89
Private Employment Service	23
Labor-Management Apprenticeship Training Program	2
Not Specified	290

RECOMMENDED FOR INVESTIGATION

The nature of the discriminations alleged was as follows:

3773

Wegro		2026
Race - Other		13
Latin	4	
Spanish	1	
Caucasian	8	
Race - Not Specified		20
National Origin		50
Mexican-American	25	
Cuban	1	
Greek	1	
Italian	1	
Latin American	8	
American Indian	1	
Hungarian	1	
African	1	
Not Specified	11	
Sex		1624
Religion		14
Not Specified		18

The nature of the employment problem or problems alleged was as follows:

Hiring		818
Promotion		828
Training and Apprenticeship		160
Segregated Facilities		279
Benefits		744
Wage Differential		463
Seniority		804
Layoff and Recall		293
Firing		136
State Employment Service - Referral		22
State Employment Service - Testing		6
Union - Referral		9
Union - Membership		21
Union - Apprenticeship		6
Private Employment Agency Referral		2
Other		194
Not Specified		4

The respondents involved in these matters were as follows:

Employer	2551
Union	580
State Employment Service	42
Private Employment Service	10
Labor-Management Apprenticeship Training Program	1
Not Specified	7

RECOMMENDED FOR INVESTIGATION

These matters were divided by state as follows: 3773

Alabama	457
Arizona	2
Arkansas	39
Colorado	10
California	65
Connecticut	6
Delaware	2
District of Columbia	4
Florida	38
Georgia	70
Illinois	55
Indiana	40
Iowa	216
Kentucky	30
Kansas	488
Louisiana	145
Maine	1
Maryland	1
Massachusetts	3
Michigan	45
Mississippi	79
Minnesota	23
Missouri	21
Nevada	1

New Hampshire	1
New Jersey	426
New Mexico	2
New York	11
North Carolina	615
Ohio	173
Oklahoma	6
Oregon	2
Pennsylvania	44
Rhode Island	2
South Carolina	88
Tennessee	212
Texas	164
Virginia	169
Washington	5
West Virginia	10
Wisconsin	2

DEFERRED FOR STATE OR LOCAL FEED ACTION

The nature of the discriminations alleged was as follows:

977

Negro		614
Race - Other		26
Caucasian	12	
Spanish	5	
American Indian	8	
Filipino	1	
Race - Not Specified		55
National Origin		40
Mexican-American	17	
Italian	2	
Greek	1	
Slavic	1	
Not Specified	19	
Sex		129
Religion		44
Not Specified		69

The nature of the employment problem or problems alleged was as follows:

Hiring	224
Promotion	230
Training and Apprenticeship	8
Segregated Facilities	34
Benefits	13
Wage Differential	70
Seniority	23
Layoff and Recall	39
Firing	176
State Employment Service - Referral	16
State Employment Service - Testing	1
Union - Referral	27
Union - Membership	71
Union - Apprenticeship	2
Other	94
Not Specified	13

The respondents involved in these matters were as follows:

Employer	693
Union	255
State Employment Service	15
Private Employment Service	3
Labor-Management Apprenticeship Training Program	0
Not Specified	48

DEFERRED FOR STATE OR LOCAL FED ACTION

These matters were divided by states as follows:

977

California	96
Colorado	3
Connecticut	9
Delaware	6
District of Columbia	26
Illinois	70
Iowa	1
Indiana	36
Kansas	19
Massachusetts	13
Maryland	101
Michigan	36
Missouri	180
Nebraska	6
Nevada	5
New Jersey	38
New Mexico	6
New York	119
Ohio	87
Oregon	3
Pennsylvania	93
Washington	11
Wisconsin	16
Wyoming	3
Minnesota	2
Utah	2

ADDITIONAL INFORMATION REQUIRED

To the extent the information is known, the nature of the discriminations alleged was as follows:

1383

Negro		427
Race - Other		23
Caucasian	19	
Chinese	1	
American Indian	1	
Filipino	1	
Lebanese	1	
Race - Not Specified		40
National Origin		43
Mexican-American	30	
Spanish	2	
Cuban	1	
Not Specified	9	
Slavic	1	
Sex		300
Religion		29
Not Specified		521

To the extent the information is known, the nature of the employment problem or problems alleged was as follows:

Hiring	358
Promotion	195
Training and Apprenticeship	16
Segregated Facilities	9
Benefits	50
Wage Differential	146
Seniority	128
Layoff	109
Firing	162
State Employment Service - Referral	17
State Employment Service - Testing	2

Union - Referral	17
Union - Membership	28
Union - Apprenticeship	1
Other	169
Not Specified	145

To the extent the information is known, the respondents involved in these matters were as follows:

Employer	1040
Union	145
State Employment Service	32
Private Employment Service	10
Labor-Management Apprenticeship Training Program	0
Not Specified	234

ADDITIONAL INFORMATION REQUIRED

These matters were divided by state as follows:

1383

Alabama	74
Alaska	2
Arkansas	16
Arizona	9
California	49
Colorado	16
Connecticut	20
Delaware	2
District of Columbia	5
Florida	29
Georgia	46
Hawaii	2
Idaho	1
Illinois	65
Iowa	11
Indiana	42
Kansas	12
Kentucky	15
Louisiana	47
Massachusetts	17
Maine	4
Maryland	10
Michigan	27
Minnesota	9
Mississippi	23
Missouri	22
Montana	3
Nevada	4
New Jersey	26
New Mexico	10
New York	47
North Carolina	94
North Dakota	2

Ohio	61
Oklahoma	10
Oregon	9
Pennsylvania	53
South Carolina	44
South Dakota	1
Tennessee	140
Texas	120
Utah	3
Vermont	3
Virginia	49
Washington	8
West Virginia	20
Wisconsin	5
Nebraska	75
New Hampshire	1

BACK OF PROBABLE JURISDICTION

These matters were rejected for the following reasons:

2063

Untimely	268
Less than 100 persons	46
Political subdivision	237
Educational institution	211
Religious institution	10
Government agency	605
Not covered by Title VII	686

These matters were divided by states as follows:

Alabama	83
Alaska	5
Arkansas	34
Arizona	10
California	137
Colorado	17
Connecticut	22
Delaware	6
District of Columbia	56
Florida	67
Georgia	57
Hawaii	1
Idaho	4
Illinois	139
Iowa	8
Louisiana	34
Kansas	15
Kentucky	21
Louisiana	37
Massachusetts	37
Maine	3
Maryland	54
Michigan	56
Minnesota	16
Mississippi	22
Missouri	36
Montana	5
Nebraska	8

Nevada	3
New Hampshire	2
New Jersey	47
New Mexico	12
New York	150
North Carolina	75
North Dakota	3
Ohio	94
Oklahoma	13
Oregon	15
Pennsylvania	104
Puerto Rico	1
Rhode Island	2
South Carolina	83
South Dakota	2
Tennessee	154
Texas	115
Utah	9
Vermont	2
Virginia	56
Washington	30
West Virginia	16
Wisconsin	21
Wyoming	1
Unspecified	63

Of all the matters received and analyzed, 2,432 have alleged discrimination based on sex. The nature of the problem alleged was as follows:

2,432

Hiring	<u>170</u>
Men	35
Women	<u>135</u>
Promotion	97
Job classification	213
Wage differential	93
Benefits	726
Do not hire women with children	4
Do not hire women as trainees	4
Layoff, recall, and seniority	588
Fire women when marry	45
Fire women when have children	4
Fire women and replace with men	47
Age limitation for women	31
Job opportunities - Advertising	9
State labor laws for women	291
	<hr/>
Overtime	262
Weight	16
Rest periods	2
General allegations	11
	<hr/>
Union refusal to process grievances	12
Employment agency referral	9
Miscellaneous	80
Firing (unexplained)	9

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Complaint Statistics: July 1, 1966 - June 30, 1967

INCOMING WORK

New charges received	9,688	
Charges returned from State & Local FEPC's	1,200	
Charges returned with additional information	<u>2,039</u>	
Total		<u>12,927</u>

DISPOSITION OF INCOMING WORK

Deferred for State of Local FEPC Action	1,158	
Additional information required	2,270	
No probable jurisdiction	1,932	
Other (closed, withdrawn, pending reanalysis)	2,483	
Recommended for investigation	<u>5,084</u>	
Total		<u>12,927</u>

STATUS OF INVESTIGATIONS

	<u>Charges</u>	<u>Respondent</u>
Uncompleted work brought forward from previous year	2,114	561
New work received	<u>5,084</u>	<u>2,875</u>
Total workload	<u>7,198</u>	<u>3,436</u>
Completed investigations	3,549	1,740
In process and pending assignment	2,796	1,371
Administratively closed	853	325
Total	<u>7,198</u>	<u>3,436</u>

STATUS OF CONCILIATIONS

Uncompleted work brought forward from previous year	513	146
New work received	<u>1,310</u>	<u>339</u>
Total workload	<u>1,823</u>	<u>485</u>
Completed conciliations	890	174
In process and pending assignment	<u>933</u>	<u>311</u>
Total	<u>1,823</u>	<u>485</u>

ANALYSIS OF COMPLETED CONCILIATIONS

Fully successful	306	66
Partially successful	77	22
Unsuccessful	<u>507</u>	<u>85</u>
Total	<u>890</u>	<u>174</u>

Analysis of Charges Recommended for Investigation, -----	5,084
Deferred for State of Local FEPC Action and -----	1,158
Returned for Additional Information-----	2,270
Total -----	<u>8,512</u>

BASIS OF DISCRIMINATION

Race	4,786
Color	13
Religion	169
Sex	2,003
National Origin	478
Unspecified	<u>1,063</u>
Total	<u>8,512</u>

RESPONDENTS AND TYPES OF CHARGES

EMPLOYER PRACTICES

<u>Race</u>		
Hiring	776	
Discharge	625	
Compensation	344	
Terms	659	
Conditions	735	
Classification	539	
Miscellaneous	<u>54</u>	
Sub-Total Race		<u>3,732</u>
<u>Color</u>		
Hiring	2	
Discharge	1	
Terms	7	
Conditions	1	
Classification	<u>1</u>	
Sub-Total Color		<u>12</u>
<u>Religion</u>		
Hiring	36	
Discharge	55	
Terms	25	
Conditions	17	
Classification	3	
Compensation	5	
Miscellaneous	<u>14</u>	
Sub-Total Religion		<u>155</u>

EMPLOYER PRACTICES (CONT'D)

Sex

Hiring	(F-174) (M-20)	194	
Discharge	(F-217) (M-13)	230	
Compensation	(F-256) (M- 6)	262	
Terms	(F-393) (M-31)	424	
Conditions	(F-188) (M-28)	216	
Classification	(F-310) (M-10)	323	
Miscellaneous	(F- 25) (M- 2)	<u>25</u>	
Sub-Total Sex			<u>1,674</u>

National Origin

Hiring		76	
Discharge		81	
Compensation		37	
Terms		48	
Conditions		57	
Classification		34	
Miscellaneous		<u>7</u>	
Sub-Total National Origin			<u>340</u>

Unspecified

Hiring		173	
Discharge		211	
Compensation		80	
Terms		124	
Conditions		101	
Classification		51	
Miscellaneous		<u>181</u>	
Sub-Total Unspecified			<u>921</u>

Total Employer Practices

6,834

UNION PRACTICES

Race

Exclusion		115	
Discrimination		708	
Classification		<u>61</u>	
Sub-Total Race			<u>884</u>

Color

Discrimination		<u>1</u>	<u>1</u>
----------------	--	----------	----------

Religion

Discrimination		<u>10</u>	<u>10</u>
----------------	--	-----------	-----------

UNION PRACTICES (CONT'D)

<u>Sex</u>		
Discrimination	172	
Classification	28	
Exclusion	<u>8</u>	
Sub-Total Sex		<u>208</u>
<u>National Origin</u>		
Exclusion	68	
Classification	3	
Discrimination	<u>28</u>	
Sub-Total National Origin		<u>99</u>
<u>Unspecified</u>		
Exclusion	13	
Discrimination	68	
Miscellaneous	<u>9</u>	
Sub-Total Unspecified		<u>90</u>
Total Union Practices		<u>1,292</u>

EMPLOYMENT AGENCY PRACTICES

STATE EMPLOYMENT SERVICE

<u>Race</u>		
Referral	17	
Testing	<u>2</u>	
Sub-Total Race		<u>19</u>
<u>Sex</u>		
Referral	1	
Testing	<u>1</u>	
Sub-Total Sex		<u>2</u>
<u>National Origin</u>		
Referral	5	
Classification	<u>2</u>	
Sub-Total National Origin		<u>7</u>
<u>Unspecified</u>		
Referral		<u>4</u>
Total State Employment Service		<u>32</u>

PRIVATE EMPLOYMENT AGENCY PRACTICES

<u>Race</u>		
Referral	40	
Testing	7	
Miscellaneous	<u>1</u>	
Sub-Total Race		<u>48</u>
<u>Religion</u>		
Referral		<u>2</u>
<u>Sex</u>		
Referral	9	
Classification	<u>2</u>	
Sub-Total Sex		<u>11</u>
<u>National Origin</u>		
Referral		<u>10</u>
<u>Unspecified</u>		
Referral	10	
Testing	5	
Miscellaneous	<u>3</u>	
Sub-Total Unspecified		<u>18</u>
Total Private Employment Agency Practices		<u>89</u>
Total Employment Agency Practices		<u>121</u>

LABOR-MANAGEMENT PRACTICES

<u>Race</u>		
Apprenticeship Denial	17	
Training/Retraining	29	
Discrimination	<u>2</u>	
Sub-Total Race		<u>48</u>
<u>National Origin</u>		
Apprenticeship Denial	10	
Training/Retraining	<u>4</u>	
Sub-Total National Origin		<u>14</u>
<u>Sex</u>		
Training/Retraining	2	
Discrimination	<u>1</u>	
Sub-Total Sex		<u>3</u>
Total Labor-Management Practices		<u>65</u>

EMPLOYER-UNION-AGENCY PRACTICES

Race

Retaliation for filing charge	39	
Advertising	<u>4</u>	
Sub-Total Race		<u>43</u>

Religion

Retaliation for filing charge		<u>1</u>
-------------------------------	--	----------

Sex (All Female)

Advertising	94	
Retaliation	<u>2</u>	
Sub-Total Sex		<u>96</u>

National Origin

Retaliation for filing charge		<u>2</u>
-------------------------------	--	----------

Total Employer-Union-Agency Practices 142

UNSPECIFIED RESPONDENT

Race

Hiring	9	
Terms	4	
Condition	1	
Miscellaneous	<u>1</u>	
Sub-Total Race		<u>15</u>

Sex (All Female)

Discharge	2	
Compensation	3	
Terms	2	
Classification	<u>2</u>	
Sub-Total Sex		<u>9</u>

Religion

Terms		<u>1</u>
-------	--	----------

National Origin

Hiring	1	
Miscellaneous	<u>5</u>	
Sub-Total National Origin		<u>6</u>

UNSPECIFIED RESPONDENT (CONT'D)

<u>Unspecified</u>		
Hiring	14	
Compensation	1	
Terms	6	
Condition	1	
Classification	<u>5</u>	
Sub-Total Unspecified		<u>27</u>
Total Unspecified Respondent		<u>58</u>
Total Respondents and Types of Charges		<u>8,512</u>

BREAKDOWN BY STATE

Alabama	523
Alaska	9
Arkansas	46
Arizona	39
California	624
Colorado	46
Connecticut	46
Delaware	6
District of Columbia	67
Florida	169
Georgia	442
Hawaii	2
Idaho	6
Illinois	546
Indiana	211
Iowa	91
Kansas	103
Kentucky	85
Louisiana	505
Maine	12
Maryland	92
Massachusetts	44
Michigan	236
Minnesota	140
Mississippi	166
Missouri	226
Montana	8
Nebraska	23
Nevada	22
New Hampshire	2
New Jersey	111
New Mexico	101
New York	273
North Carolina	300
North Dakota	0
Ohio	620
Oklahoma	78
Oregon	27
Pennsylvania	366
Rhode Island	2
South Carolina	228
South Dakota	3

Tennessee	333
Texas	714
Utah	20
Vermont	0
Virginia	645
Washington	44
West Virginia	78
Wisconsin	28
Wyoming	0
Unspecified	<u>4</u>

Total

8.512

Analysis of Charges Recommended for Investigation -----5,084

BASIS OF DISCRIMINATION

Race	3,316
Color	9
Religion	57
Sex	1,497
National Origin	<u>205</u>
Total	<u>5,084</u>

RESPONDENTS AND TYPES OF CHARGES

EMPLOYER PRACTICES

<u>Race</u>		
Hiring	410	
Discharge	336	
Compensation	276	
Terms	510	
Conditions	571	
Classification	457	
Miscellaneous	<u>7</u>	
Sub-Total Race		<u>2,567</u>
<u>Color</u>		
Discharge	1	
Terms	<u>7</u>	
Sub-Total Color		<u>8</u>
<u>Religion</u>		
Hiring	9	
Discharge	23	
Compensation	3	
Terms	6	
Conditions	8	
Miscellaneous	<u>1</u>	
Sub-Total Religion		<u>50</u>

EMPLOYER PRACTICES (CONT'D)

Sex

Hiring	(M-13)	(F-121)	134	
Discharge	(M-11)	(F-153)	164	
Compensation	(M- 4)	(F-206)	210	
Terms	(M-22)	(F-299)	321	
Conditions	(M-24)	(F-150)	174	
Classification	(M- 7)	(F-223)	230	
Miscellaneous	(M- 1)	(F- 2)	<u>3</u>	
Sub-Total Sex				<u>1,236</u>

National Origin

Hiring		19	
Discharge		31	
Compensation		28	
Terms		23	
Conditions		37	
Classification		26	
Miscellaneous		<u>1</u>	
Sub-Total National Origin			<u>165</u>

Total Employer Practices

4,026

UNION PRACTICES

Race

Exclusion		49	
Discrimination		535	
Classification		<u>59</u>	
Sub-Total Race			<u>643</u>

Color

Discrimination			<u>1</u>
----------------	--	--	----------

Religion

Discrimination			<u>5</u>
----------------	--	--	----------

Sex

Exclusion	(F-8)		8	
Discrimination	(F-122)	(M-12)	134	
Classification	(F-26)	(M-1)	<u>27</u>	
Sub-Total Sex				<u>169</u>

<u>National Origin</u>		
Exclusion	13	
Discrimination	13	
Classification	<u>1</u>	
Sub-Total National Origin		<u>27</u>

Total Union Practices 845

EMPLOYMENT AGENCY PRACTICES

STATE EMPLOYMENT SERVICE

<u>Race</u>		
Referral	11	
Testing	<u>2</u>	
Sub-Total Race		<u>13</u>

<u>Sex</u>		
Referral	1	
Testing	<u>1</u>	
Sub-Total Sex		<u>2</u>

Total State Employment Service 15

PRIVATE EMPLOYMENT AGENCY PRACTICES

<u>Race</u>		
Referral	12	
Testing	<u>5</u>	
Sub-Total Race		<u>17</u>

<u>Religion</u>		
Referral		<u>2</u>

<u>Sex (All Female)</u>		
Referral	8	
Classification	<u>2</u>	
Sub-Total Sex		<u>10</u>

<u>National Origin</u>		
Referral		<u>1</u>

Total Private Employment Agency Practices 30

Total Employment Agency Practices 45

LABOR-MANAGEMENT PRACTICES

<u>Race</u>		
Apprenticeship Denial	12	
Training/Retraining	27	
Discrimination	<u>2</u>	
Sub-Total Race		<u>41</u>
<u>Sex</u>		
Training/Retraining	2	
Discrimination	1	
Sub-Total Sex		<u>3</u>
<u>National Origin</u>		
Apprenticeship	6	
Training/Retraining	<u>4</u>	
Sub-Total National Origin		<u>10</u>
Total Labor-Management Practices		<u>54</u>

EMPLOYER-UNION-AGENCY PRACTICES

<u>Race</u>		
Retaliation for filing charge	31	
Advertising	<u>4</u>	
Sub-Total Race		<u>35</u>
<u>Sex (All Female)</u>		
Advertising	75	
Retaliation	<u>2</u>	
Sub-Total Sex		<u>77</u>
<u>National Origin</u>		
Retaliation		<u>2</u>
Total Employer-Union Agency Practices		<u>114</u>
Total Respondents and Types of Charges		<u>5,084</u>

BREAKDOWN BY STATE

Alabama	466
Alaska	4
Arkansas	25
Arizona	29
California	306
Colorado	11
Connecticut	6
Delaware	0
District of Columbia	8
Florida	106
Georgia	371
Hawaii	0
Idaho	0
Illinois	295
Indiana	68
Iowa	41
Kansas	55
Kentucky	20
Louisiana	454
Maine	8
Maryland	14
Massachusetts	2
Michigan	95
Minnesota	90
Mississippi -	130
Missouri	46
Montana	2
Nebraska	4
Nevada	12
New Hampshire	1
New Jersey	15
New Mexico	37
New York	27
North Carolina	200
North Dakota	0
Ohio	330
Oklahoma	34
Oregon	9
Pennsylvania	198
Rhode Island	1
South Carolina	164
South Dakota	0

Tennessee	218
Texas	507
Utah	15
Vermont	0
Virginia	578
Washington	25
West Virginia	52
Wisconsin	5
Wyoming	0

Total

5,084

Analysis of Charges Deferred for State or Local FEPC Action

1158

BASIS OF DISCRIMINATION

Race	683
Color	1
Religion	55
Sex	146
National Origin	193
Unspecified	80
Total	1,158

RESPONDENTS AND TYPES OF CHARGES

EMPLOYER PRACTICES

Race

Hiring	106	
Discharge	159	
Compensation	16	
Terms	75	
Conditions	79	
Classification	46	
Miscellaneous	<u>20</u>	
Sub-Total Race		<u>501</u>

Color

Conditions		<u>1</u>
------------	--	----------

Religion

Hiring	9	
Discharge	18	
Compensation	2	
Terms	15	
Conditions	3	
Classification	2	
Miscellaneous	<u>2</u>	
Sub-Total Religion		<u>51</u>

Sex

Hiring	(F-12)	12	
Discharge	(F-23, M-1)	24	
Compensation	(F-13)	13	
Terms	(F-37, M-1)	38	
Conditions	(F-11, M-2)	13	
Classification	(F-9)	<u>9</u>	
Sub-Total Sex			<u>109</u>

EMPLOYER PRACTICES (CONT'D)

<u>National Origin</u>		
Hiring	33	
Discharge	39	
Compensation	2	
Terms	18	
Conditions	12	
Classification	8	
Miscellaneous	<u>1</u>	
Sub-Total National Origin		<u>113</u>
<u>Unspecified</u>		
Hiring	12	
Discharge	18	
Compensation	1	
Terms	20	
Conditions	27	
Classification	<u>2</u>	
Sub-Total Unspecified		<u>80</u>
Total Employer Practices		<u>855</u>

UNION PRACTICES

<u>Race</u>		
Exclusion	63	
Discrimination	96	
Classification	<u>2</u>	
Sub-Total Race		<u>161</u>
<u>Religion</u>		
Discrimination		<u>3</u>
<u>Sex (All Female)</u>		
Discrimination		<u>17</u>
<u>National Origin</u>		
Discrimination	13	
Classification	1	
Exclusion	<u>50</u>	
Sub-Total National Origin		<u>64</u>
Total Union Practices		<u>245</u>

EMPLOYMENT AGENCY PRACTICES

STATE EMPLOYMENT SERVICES

<u>Race</u>		
Referral		<u>3</u>
<u>National Origin</u>		
Referral	4	
Classification	<u>2</u>	
Sub-Total National Origin		<u>6</u>
Total State Employment Services		<u>9</u>

PRIVATE EMPLOYMENT AGENCY PRACTICES

<u>Race</u>		
Referral		<u>11</u>
<u>Sex</u>		
Referral (All Females)		<u>1</u>
<u>National Origin</u>		
Referral		<u>6</u>
Total Private Employment Agency Practices		<u>18</u>
Total Employment Agency Practices		<u>27</u>

LABOR MANAGEMENT PRACTICES

<u>Race</u>		
Apprenticeship	5	
Training/Retraining	<u>2</u>	
Sub-Total Race		<u>7</u>
<u>National Origin</u>		
Apprenticeship Denial		<u>4</u>
Total Management Practices		<u>11</u>

EMPLOYER-UNION-AGENCY PRACTICES

<u>Religion</u>		
Retaliation for filing charge		<u>1</u>
<u>Sex</u>		
Advertising		<u>19</u>
Total Employer-Union-Agency Practices		<u>20</u>
Total Respondents and Types of Charges		<u>1,158</u>

BREAKDOWN BY STATE

Alaska	2
Arizona	1
California	131
Colorado	16
Connecticut	17
Delaware	5
District of Columbia	53
Hawaii	1
Illinois	138
Indiana	56
Iowa	10
Kansas	35
Kentucky	21
Maryland	59
Massachusetts	23
Michigan	56
Minnesota	8
Missouri	126
Nebraska	11
Nevada	5
New Jersey	54
New Mexico	54
New York	129
Ohio	80
Oregon	2
Pennsylvania	50
Utah	2
Washington	4
Wisconsin	9

Total

1,158

Analysis of Charges for Which Additional Information is Required

2270

BASIS OF DISCRIMINATION

Race	787
Color	3
Religion	57
Sex	350
National Origin	80
Unspecified	<u>983</u>
Total	<u>2,270</u>

RESPONDENTS AND TYPES OF CHARGES

EMPLOYER PRACTICES

<u>Race</u>		
Hiring	260	
Discharge	130	
Compensation	52	
Terms	74	
Conditions	85	
Classification	36	
Miscellaneous	<u>27</u>	
Sub-Total Race		<u>664</u>
<u>Color</u>		
Hiring	2	
Classification	1	
Sub-Total Color		<u>3</u>
<u>Religion</u>		
Hiring	18	
Discharge	14	
Terms	4	
Conditions	6	
Classification	1	
Miscellaneous	<u>11</u>	
Sub-Total Religion		<u>54</u>
<u>Sex</u>		
Hiring (F-41, M-7)	48	
Discharge (F-41, M-1)	42	
Compensation (F-37, M-2)	39	
Terms (F-57, M-8)	65	
Conditions (F-27, M-2)	29	
Classification (F-81, M-3)	84	
Miscellaneous (F-21, M-1)	<u>22</u>	
Sub-Total Sex		<u>329</u>

EMPLOYER PRACTICES (CONT.)

National Origin

Hiring	24	
Discharge	11	
Compensation	7	
Terms	7	
Conditions	8	
Miscellaneous	<u>5</u>	
Sub-Total National Origin		<u>62</u>

Unspecified

Hiring	161	
Discharge	193	
Compensation	79	
Terms	104	
Conditions	74	
Classification	49	
Miscellaneous	<u>181</u>	
Sub-Total Unspecified		<u>841</u>

Total Employer Practices

1953

UNION PRACTICES

Race

Exclusion	3	
Discrimination	<u>77</u>	
Sub-Total Race		<u>80</u>

Religion

Discrimination		<u>2</u>
----------------	--	----------

Sex(All Female)

Discrimination	21	
Classification	<u>1</u>	
Sub-Total Sex		<u>22</u>

National Origin

Discrimination	2	
Exclusion	5	
Classification	<u>1</u>	
Sub-Total National Origin		<u>8</u>

Unspecified

Exclusion	13	
Discrimination	68	
Miscellaneous	<u>9</u>	
Sub-Total Unspecified		<u>90</u>

Total Union Practices

202

EMPLOYMENT AGENCY PRACTICES

STATE EMPLOYMENT SERVICE

<u>Race</u>			
Referral		<u>3</u>	
<u>National Origin</u>			
Referral		<u>1</u>	
<u>Unspecified</u>			
Referral		<u>4</u>	
Total State Employment Service			<u>8</u>

PRIVATE EMPLOYMENT SERVICE

<u>Race</u>			
Referral	17		
Testing	2		
Miscellaneous	<u>1</u>		
Sub-Total Race		<u>20</u>	
<u>National Origin</u>			
Referral		<u>3</u>	
<u>Unspecified</u>			
Referral	10		
Testing	5		
Miscellaneous	<u>3</u>		
Sub-Total Unspecified		<u>18</u>	
Total Private Employment Service			<u>41</u>
Total Employment Agency Practices			<u>49</u>

EMPLOYER-UNION-AGENCY PRACTICES (Sec. 704 (a) (b))

<u>Race</u>			
Retaliation for filing charge		<u>8</u>	<u>8</u>

UNSPECIFIED RESPONDENT

<u>Race</u>			
Hiring	9		
Terms	4		
Conditions	1		
Miscellaneous	<u>1</u>		
Sub-Total Race		<u>15</u>	

UNSPECIFIED RESPONDENT (CONT.)

Religion

Terms

1Sex(All Females)

Discharge

2

Compensation

3

Terms

2

Classification

2

Sub-Total Sex

9National Origin

Hiring

1

Miscellaneous

5

Sub-Total National Origin

6Miscellaneous

Hiring

14

Compensation

1

Terms

6

Condition

1

Classification

5

Sub-Total Miscellaneous

27

Total Unspecified Respondent

58

Total Respondents and Types of Charges

2270

BREAKDOWN BY STATE

Alabama	57
Alaska	3
Arkansas	21
Arizona	9
California	187
Colorado	19
Connecticut	23
Delaware	1
District of Columbia	6
Florida	63
Georgia	71
Hawaii	1
Idaho	6
Illinois	113
Indiana	87
Iowa	40
Kansas	13
Kentucky	44
Louisiana	51
Maine	4
Maryland	19
Massachusetts	19
Michigan	85
Minnesota	42
Mississippi	36
Missouri	54
Montana	6
Nebraska	8
Nevada	5
New Hampshire	1
New Jersey	42
New Mexico	10
New York	117
North Carolina	100
North Dakota	0
Ohio	210
Oklahoma	44
Oregon	16
Pennsylvania	118
Rhode Island	1

South Carolina	64
South Dakota	3
Tennessee	115
Texas	207
Utah	3
Vermont	0
Virginia	67
Washington	15
West Virginia	26
Wisconsin	14
Wyoming	0
Unspecified	4

Total

2270

Analysis of Charges for Which There is No Probable Jurisdiction

1932

TYPES OF CHARGES

Race

Untimely	144	
Less than 75 employees	90	
Educational Institution	2	
Political subdivision	141	
Government agency	162	
Not covered by Title VII	<u>90</u>	
Sub-Total Race		<u>629</u>

Religion

Untimely	13	
Political subdivision	16	
Educational institution	1	
Government agency	23	
Not covered by Title VII	<u>32</u>	
Sub-Total Religion		<u>85</u>

Sex

Untimely	(F-51, M-3)	54	
Less than 75 employees	(All Female)	31	
Political subdivision	(F-37, M-5)	42	
Educational institution	(All Female)	4	
Government Agency	(F-30, M-2)	32	
Not covered by Title VII	(F-62, M-13)	<u>75</u>	
Sub-Total Sex			<u>238</u>

National Origin

Untimely	18	
Less than 75 employees	10	
Political subdivision	18	
Government agency	22	
Educational institution	5	
Not covered by Title VII	<u>24</u>	
Sub-Total National Origin		<u>97</u>

Other

Educational Institution	3	
Untimely	94	
Less than 75 employees	28	
Political subdivision	72	
Government agency	132	
Not covered by Title VII	<u>554</u>	
Sub-Total Other		<u>883</u>

Total

1932

BREAKDOWN BY STATE

Alabama	87
Alaska	5
Arkansas	18
Arizona	12
California	156
Colorado	15
Connecticut	23
Delaware	8
District of Columbia	27
Florida	60
Georgia	105
Hawaii	2
Idaho	2
Illinois	120
Indiana	40
Iowa	10
Kansas	9
Kentucky	21
Louisiana	38
Maine	6
Maryland	23
Massachusetts	25
Michigan	58
Minnesota	29
Mississippi	27
Missouri	35
Montana	3
Nebraska	4
Nevada	5
New Hampshire	2
New Jersey	46
New Mexico	32
New York	128
North Carolina	89
North Dakota	3
Ohio	70
Oklahoma	24
Oregon	9
Pennsylvania	87
Rhode Island	8
South Carolina	40
South Dakota	4
Tennessee	81
Texas	184
Utah	4

Virginia	79
Washington	16
West Virginia	21
Wisconsin	17
Wyoming	1
Unspecified	14

Total

1932

SEX DISCRIMINATION

Out of 8,512 charges either Recommended for Investigation, Deferred for State or Local FEPC Action, or Returned for Additional Information 2,003 pertained to Sex as follows:

EMPLOYER PRACTICES

Hiring	(F-174) (M-20)	194	
Discharge	(F-217) (M-13)	230	
Compensation	(F-256) (M- 6)	262	
Terms	(F-393) (M-31)	424	
Conditions	(F-188) (M-28)	216	
Classification	(F-313) (M-10)	323	
Miscellaneous	(F- 23) (M- 2)	<u>25</u>	
Sub-Total			<u>1,674</u>

UNION PRACTICES

Discrimination	(F-160) (M-12)	172	
Classification	(F- 27) (M- 1)	28	
Exclusion	(All Female)	<u>8</u>	
Sub-Total			<u>208</u>

EMPLOYMENT AGENCY PRACTICES (All Female)

Testing		1	
Referral		10	
Classification		<u>2</u>	
Sub-Total			<u>13</u>

LABOR-MANAGEMENT PRACTICES (All Female)

Training/Retraining		2	
Discrimination		<u>1</u>	
Sub-Total			<u>3</u>

EMPLOYER-UNION-AGENCY PRACTICES (All Female)

Advertising		94	
Retaliation		<u>2</u>	
Sub-Total			<u>96</u>

UNSPECIFIED RESPONDENT (All Female)

Discharge		2	
Compensation		3	
Terms		2	
Classification		<u>2</u>	
Sub-Total			<u>9</u>

Total 2,003

Out of 1,932 charges for which there is no probable jurisdiction, 238 pertained to Sex as follows:

Untimely	(F-51) (M- 3)	54
Less than 75 employees	(All Female)	31
Political subdivision	(F-37) (M- 5)	42
Educational institution	(All Female)	4
Government Agency	(F-30) (M- 2)	32
Not covered by Title VII	(F-62) (M-13)	<u>75</u>

Total

238

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Complaint Statistics: July 1, 1967 - June 30, 1968

INCOMING WORK

New charges received	10,095	
Charges returned from State and local FEPC's	1,941	
Charges returned with additional information	<u>3,022</u>	
Total		<u>15,058</u>

DISPOSITION OF INCOMING WORK

Deferred for State or local FEPC action	2,136	
Additional information required	2,980	
No probable jurisdiction	3,636	
Recommended for investigation	<u>6,056</u>	
Total		<u>15,058</u>

STATUS OF INVESTIGATIONS

	<u>Charges</u>	<u>Respondents</u>
Uncompleted work brought forward from previous year	2,796	1,476
New work received	<u>6,056</u>	<u>3,824</u>
Total workload	<u>8,852</u>	<u>5,300</u>
Completed investigations	5,368	3,510
In process and pending assignment	<u>3,484</u>	<u>1,790</u>
Total	<u>8,852</u>	<u>5,300</u>

STATUS OF CONCILIATIONS

Uncompleted work brought forward from previous year	933	311
New work received	<u>1,573</u>	<u>884</u>
Total workload	<u>2,506</u>	<u>1,195</u>
Completed conciliations	1,242	637
In process and pending assignment	<u>1,264</u>	<u>558</u>
Total	<u>2,506</u>	<u>1,195</u>

ANALYSIS OF COMPLETED CONCILIATIONS

Fully successful	424	252
Partially successful	89	53
Unsuccessful	<u>729</u>	<u>332</u>
Total	<u>1,242</u>	<u>637</u>

Analysis of Charges Recommended for Investigation, -----	6,056
Deferred for State or Local FEPC Action and -----	2,136
Returned for Additional Information -----	2,980
Total -----	<u>11,172</u>

BASIS OF DISCRIMINATION

Race	6,650
Religion	291
Sex	2,410
National Origin	721
Unspecified	<u>1,100</u>
Total	<u>11,172</u>

RESPONDENTS AND TYPES OF CHARGES

EMPLOYER PRACTICES

<u>Race</u>		
Hiring	1,086	
Discharge	1,109	
Compensation	277	
Terms	1,803	
Conditions	452	
Classification	484	
Miscellaneous	<u>138</u>	
Sub-Total Race		<u>5,349</u>

<u>Religion</u>		
Hiring	46	
Discharge	92	
Terms	48	
Conditions	35	
Classification	2	
Compensation	5	
Miscellaneous	<u>28</u>	
Sub-Total Religion		<u>256</u>

<u>Sex</u>		
Hiring	(M-48, F-160)	208
Discharge	(M- 8, F-199)	207
Compensation	(M-10, F-388)	398
Terms	(M-96, F-868)	964
Conditions	(M-20, F-110)	130
Classification	(M- 7, F-111)	118
Miscellaneous	(M- 5, F- 42)	<u>47</u>
Sub-Total Sex		<u>2,072</u>

EMPLOYER PRACTICES (CONT'D)

<u>National Origin</u>	
Hiring	105
Discharge	194
Compensation	37
Terms	166
Conditions	63
Classification	17
Miscellaneous	<u>32</u>
Sub-Total National Origin	<u>614</u>
 <u>Unspecified</u>	
Hiring	166
Discharge	180
Compensation	56
Terms	125
Conditions	48
Classifications	28
Miscellaneous	<u>445</u>
Sub-Total Unspecified	<u>1,048</u>
 Total Employer Practices	
	<u>9,339</u>

UNION PRACTICES

<u>Race</u>	
Exclusion	163
Discrimination	865
Classification	<u>51</u>
Sub-Total Race	<u>1,079</u>
 <u>Religion</u>	
Exclusion	6
Discrimination	<u>23</u>
Sub-Total Religion	<u>29</u>
 <u>Sex</u>	
Exclusion (M- 0, F- 18)	18
Discrimination (M-37, F-204)	241
Classification (M- 6, F- 35)	<u>41</u>
Sub-Total Sex	<u>300</u>
 <u>National Origin</u>	
Exclusion	9
Discrimination	69
Classification	<u>9</u>
Sub-Total National Origin	<u>86</u>

UNION PRACTICES (CONTINUED)

<u>Unspecified</u>		
Exclusion	5	
* Discrimination	31	
Classification	<u>5</u>	
Sub-Total Unspecified		<u>41</u>
Total Union Practices		<u>1,535</u>

EMPLOYMENT AGENCY PRACTICES

PRIVATE EMPLOYMENT AGENCIES

<u>Race</u>		
Referral		<u>24</u>
<u>Religion</u>		
Referral		<u>2</u>
<u>Sex</u>		
Referral (M-6, F-8)	14	
Testing (M-1, F-0)	<u>1</u>	
Sub-Total Sex		<u>15</u>
<u>National Origin</u>		
Referral	1	
Testing	1	
Miscellaneous	<u>1</u>	
Sub-Total National Origin		<u>3</u>
Total Private Employment Agencies		<u>44</u>

STATE EMPLOYMENT AGENCIES

<u>Race</u>		
Referral	79	
Testing	<u>9</u>	
Sub-Total Race		<u>88</u>
<u>Religion</u>		
Referral		<u>3</u>
<u>Sex (All Female)</u>		
Testing		<u>5</u>
<u>National Origin</u>		
Referral	5	
Classification	1	
Miscellaneous	<u>2</u>	
Sub-Total National Origin		<u>8</u>

EMPLOYMENT AGENCY PRACTICES

STATE EMPLOYMENT AGENCY (CONT'D)

<u>Unspecified</u>		
Referral	10	
Testing	<u>1</u>	
Sub-Total Unspecified		<u>11</u>
Total State Employment Agencies		<u>115</u>
Total Employment Agency Practices		<u>159</u>

LABOR-MANAGEMENT PRACTICES

<u>Race</u>		
Apprenticeship Denial	15	
Training/Retraining	<u>48</u>	
Sub Total Race		<u>63</u>
<u>Sex (Female)</u>		
Training/Retraining		<u>1</u>
<u>National Origin</u>		
Training/Retraining		<u>5</u>
Total Labor-Management Practices		<u>69</u>

EMPLOYER-UNION-AGENCY PRACTICES

<u>Race</u>		
Retaliation	41	
Advertising	<u>6</u>	
Sub-Total Race		<u>47</u>
<u>Sex</u>		
Retaliation (M-0,F-7)	7	
Advertising (M-2,F-8)	<u>10</u>	
Sub-Total Sex		<u>17</u>
<u>National Origin</u>		
Retaliation		<u>5</u>
<u>Religion</u>		
Retaliation		<u>1</u>
Total Employer-Union-Agency Practices		<u>70</u>

BREAKDOWN BY STATE

Alabama	563
Alaska	5
Arkansas	91
Arizona	62
California	1,008
Colorado	329
Connecticut	86
Delaware	17
District of Columbia	127
Florida	187
Georgia	441
Hawaii	11
Idaho	8
Illinois	727
Indiana	460
Iowa	43
Kansas	41
Kentucky	94
Louisiana	978
Maine	4
Maryland	190
Massachusetts	219
Michigan	229
Minnesota	48
Mississippi	251
Missouri	176
Montana	12
Nebraska	8
Nevada	35
New Hampshire	5
New Jersey	179
New Mexico	114
New York	682
North Carolina	350
North Dakota	4
Ohio	754
Oklahoma	62
Oregon	59
Pennsylvania	353
Puerto Rico	2
Rhode Island	10

South Carolina	202
Tennessee	481
Texas	825
Utah	10
Vermont	2
Virginia	379
Washington	59
West Virginia	68
Wisconsin	57
Wyoming	3
Unspecified	<u>62</u>

Total

11,172

Analysis of Charges Recommended for Investigation ----- 6056

BASES OF DISCRIMINATION

Race	4017
Religion	97
Sex	1663
National Origin	279
Total	<u>6056</u>

RESPONDENTS AND TYPES OF CHARGES

EMPLOYER PRACTICES

<u>Race</u>		
Hiring	612	
Discharge	567	
Compensation	135	
Terms	1193	
Conditions	286	
Classification	346	
Miscellaneous	<u>29</u>	
Sub-Total Race		<u>3168</u>

<u>Religion</u>		
Hiring	20	
Discharge	34	
Compensation	4	
Terms	12	
Conditions	6	
Miscellaneous	<u>7</u>	
Sub-Total Religion		<u>83</u>

<u>Sex</u>		
Hiring	(M-17, F- 93)	110
Discharge	(M- 7, F-129)	136
Compensation	(M-10, F-284)	294
Terms	(M-73, F-604)	677
Conditions	(M- 3, F- 85)	88
Classifications	(M- 3, F- 82)	85
Miscellaneous	(M- 2, F- 9)	<u>11</u>
Sub-Total Sex		1401

<u>National Origin</u>		
Hiring	44	
Discharge	73	
Compensation	14	
Terms	59	
Conditions	22	
Classification	9	
Miscellaneous	<u>6</u>	
Sub-Total Natl. Origin		277
Total Employer Practices		<u>4879</u>

UNION PRACTICES

<u>Race</u>			
Exclusion		106	
Discrimination		555	
Classification		<u>18</u>	
Sub-Total Race			<u>679</u>
<u>Religion</u>			
Exclusion		2	
Discrimination		<u>7</u>	
Sub-Total Religion			<u>9</u>
<u>Sex</u>			
Exclusion	(M- 0, F- 14)	14	
Discrimination	(M-35, F-153)	188	
Classification	(M- 6, F- 26)	<u>32</u>	
Sub-Total Sex			234
<u>National Origin</u>			
Exclusion		6	
Discrimination		30	
Classification		<u>2</u>	
Sub-Total Nati. Origin			<u>38</u>
Total Union Practices			<u>563</u>

EMPLOYMENT AGENCY PRACTICES

PRIVATE EMPLOYMENT AGENCY PRACTICES

<u>Race</u>			
Referral		<u>15</u>	
Sub-Total Race			<u>15</u>
<u>Religion</u>			
Referral		<u>2</u>	
Sub-Total Religion			<u>2</u>
<u>Sex</u>			
Referral	(M-6, F-5)	<u>11</u>	
Sub-Total Sex			<u>11</u>
Total Private Employment Agency Practices			<u>28</u>

STATE EMPLOYMENT AGENCY PRACTICES

<u>Race</u>			
Referral		53	
Testing		<u>6</u>	
Sub-Total Race			<u>59</u>
<u>Religion</u>			
Referral		<u>2</u>	
Sub-Total Religion			<u>2</u>

<u>Sex</u>			
Testing	<u>3</u>		
Sub-Total Sex		<u>3</u>	
<u>National Origin</u>			
Referral	4		
Classification	<u>1</u>		
Sub-Total National Origin		<u>5</u>	
Total State Employment Agency Practices			<u>69</u>
Total Employment Agency Practices			<u>97</u>

LABOR-MANAGEMENT PRACTICES

<u>Race</u>			
Apprenticeship Denial	7		
Training/Retraining	<u>44</u>		
Sub-Total Race		<u>51</u>	
<u>Sex</u>			
Training/Retraining	<u>1</u>		
Sub-Total Sex		<u>1</u>	
<u>National Origin</u>			
Training/Retraining	5		
Sub-Total Natl. Origin		<u>5</u>	
Total Labor-Management Practices			<u>57</u>

EMPLOYER--UNION--AGENCY PRACTICES

<u>Race</u>			
Retaliation	39		
Advertising	<u>6</u>		
Sub-Total Race		<u>45</u>	
<u>Sex</u>			
Retaliation (M-0, F-7)	7		
Advertising (M-2, F-4)	<u>6</u>		
Sub-Total Sex		<u>13</u>	
<u>National Origin</u>			
Retaliation	4		
Sub-Total Natl. Origin		<u>4</u>	
<u>Religion</u>			
Retaliation	<u>1</u>		
Sub-Total Religion		<u>1</u>	
Total Employer-Union-Agency Practices			<u>63</u>
Total Respondents and Types of Charges			<u>6056</u>

INVESTIGATION

Alabama	483
Alaska	1
Arkansas	87
Arizona	39
California	388
Colorado	99
Connecticut	6
Delaware	6
District of Columbia	22
Florida	97
Georgia	362
Hawaii	4
Idaho	2
Illinois	222
Indiana	229
Iowa	24
Kansas	17
Kentucky	38
Louisiana	970
Maine	2
Maryland	44
Massachusetts	60
Michigan	50
Minnesota	25
Mississippi	247
Missouri	58
Montana	4
Nebraska	5
Nevada	7
New Hampshire	3
New Jersey	49
New Mexico	41
New York	107
North Carolina	255
Ohio	401
Oklahoma	33
Oregon	45
Pennsylvania	93
Puerto Rico	1
Rhode Island	3
South Carolina	151
Tennessee	357
Texas	588
Utah	2
Vermont	1
Virginia	266
Washington	22
West Virginia	26
Wisconsin	<u>14</u>

Total

6056

Analysis of Charges Recommended for Deferral ----- 2136

BASIS OF DISCRIMINATION

Race	1486
Religion	110
Sex	240
National Origin	286
Unspecified	14
Total	<u>2136</u>

RESPONDENTS AND TYPE CHARGES

EMPLOYER PRACTICES

<u>Race</u>		
Hiring	234	
Discharge	325	
Compensation	79	
Terms	332	
Conditions	112	
Classification	72	
Miscellaneous	<u>27</u>	
Sub-Total Race		1181

<u>Religion</u>		
Hiring	13	
Discharge	38	
Compensation	3	
Terms	22	
Conditions	13	
Classification	2	
Miscellaneous	<u>7</u>	
Sub-Total Religion		<u>98</u>

<u>Sex</u>		
Hiring (M-18, F-11)	29	
Discharge (M- 1, F-22)	23	
Compensation (M- 0, F-36)	36	
Terms (M- 8, F-78)	86	
Conditions (M-13, F- 8)	21	
Miscellaneous (M- 1, F- 6)	7	
Classification (M- 2, F- 2)	<u>4</u>	
Sub-Total Sex		<u>206</u>

EMPLOYER PRACTICES (CONT'D)

<u>National Origin</u>		
Hiring	34	
Discharge	90	
Compensation	9	
Terms	63	
Conditions	30	
Classification	5	
Miscellaneous	<u>7</u>	
Sub-Total Nat'l. Origin		<u>243</u>
<u>Unspecified</u>		
Discharge	3	
Compensation	1	
Terms	3	
Classification	1	
Miscellaneous	<u>4</u>	
Sub-Total Unspecified		<u>12</u>
Total Employer Practices		<u>1740</u>

UNION PRACTICES

<u>Race</u>		
Exclusion	36	
Discrimination	226	
Classification	<u>17</u>	
Sub-Total Race		<u>279</u>
<u>Religion</u>		
Exclusion	1	
Discrimination	<u>10</u>	
Sub-Total Religion		<u>11</u>
<u>Sex</u>		
Exclusion (M-0, F-3)	3	
Discrimination (M-2, F-16)	18	
Classification (M-0, F-9)	<u>9</u>	
Sub-Total Sex		<u>30</u>
<u>National Origin</u>		
Exclusion	2	
Discrimination	32	
Classification	<u>6</u>	
Sub-Total Nat'l. Origin		<u>40</u>
<u>Unspecified</u>		
Discrimination	<u>2</u>	
Sub-Total Unspecified		<u>3</u>
Total Union Practices		<u>362</u>

EMPLOYMENT AGENCY PRACTICES

PRIVATE EMPLOYMENT AGENCIES

<u>Race</u>			
Referral		<u>3</u>	
Sub-Total Race			<u>3</u>
<u>Sex</u>			
Referral (M-0, F-3)		3	
Testing (M-1, F-0)		<u>1</u>	
Sub-Total Sex			<u>4</u>
<u>National Origin</u>			
Referral		<u>1</u>	
Sub-Total Nat'l. Origin			<u>1</u>
Total Private Employment Agency Practices			<u>8</u>

STATE EMPLOYMENT AGENCY PRACTICES

<u>Religion</u>			
Referral		<u>1</u>	
Sub-Total Religion			<u>1</u>
<u>Race</u>			
Referral		<u>13</u>	
Sub-Total Race			<u>13</u>
<u>National Origin</u>			
Referral		1	
Miscellaneous		<u>1</u>	
Sub-Total Nat'l. Origin			<u>2</u>
Total State Employment Agencies			<u>16</u>
Total Employment Agency Practices			<u>24</u>

LABOR-MANAGEMENT PRACTICES

<u>Race</u>			
Apprenticeship Denial		7	
Training/Retraining		<u>2</u>	
Sub-Total Race			<u>9</u>
Total Labor-Management Practices			<u>9</u>

EMPLOYER-UNION-AGENCY PRACTICES

<u>Race</u>			
Retaliation		<u>1</u>	
Sub-Total Race			<u>1</u>
Total Employer-Union Agency Practices			<u>1</u>

DEFERRALS

Alaska	2
Arizona	6
California	381
Colorado	168
Connecticut	29
Delaware	4
District of Columbia	78
Hawaii	3
Illinois	297
Indiana	67
Iowa	7
Kansas	19
Kentucky	27
Maryland	79
Massachusetts	60
Michigan	111
Minnesota	7
Missouri	100
Montana	2
Nebraska	1
Nevada	22
New Jersey	33
New Mexico	48
New York	257
Ohio	190
Oregon	4
Pennsylvania	91
Rhode Island	1
Utah	3
Washington	14
West Virginia	12
Wisconsin	<u>13</u>

Total

2136

Analysis of Charges Recommended for More Information ----- 2980

BASIS OF DISCRIMINATION

Race	1147	
Religion	84	
Sex	507	
National Origin	156	
Unspecified	<u>1086</u>	
Total		<u>2980</u>

RESPONDENTS AND TYPES OF CHARGES

EMPLOYER PRACTICES

<u>Race</u>		
Hiring	240	
Discharge	217	
Compensation	63	
Terms	278	
Conditions	54	
Classification	66	
Miscellaneous	<u>82</u>	
Sub-Total		<u>1000</u>

<u>Religion</u>		
Hiring	13	
Discharge	20	
Compensation	1	
Terms	13	
Conditions	14	
Miscellaneous	<u>14</u>	
Sub-Total		<u>75</u>

<u>Sex</u>		
Hiring	(M-13, F-56)	69
Discharge	(M- 0, F-48)	48
Compensation	(M- 0, F-63)	63
Terms	(M-15, F-186)	201
Conditions	(M- 4, F- 17)	21
Classification	(M- 2, F- 27)	29
Miscellaneous	(M- 2, F-27)	<u>29</u>
Sub-Total		<u>465</u>

Analysis of Charges Recommended for More Information (Cont'd)

EMPLOYER PRACTICES (CONT'D)

<u>National Origin</u>			
Hiring		27	
Discharge		31	
Compensation		14	
Terms		39	
Conditions		11	
Classification		3	
Miscellaneous		<u>19</u>	
Sub-Total			<u>144</u>
<u>Unspecified</u>			
Hiring		166	
Discharge		177	
Compensation		55	
Terms		122	
Conditions		48	
Classification		27	
Miscellaneous		<u>441</u>	
Sub-Total			<u>1036</u>
Total Employer Practices			<u>2720</u>

UNION PRACTICES

<u>Race</u>			
Exclusion		21	
Discrimination		84	
Classification		<u>16</u>	
Sub-Total			<u>121</u>
<u>Religion</u>			
Exclusion		3	
Discrimination		<u>6</u>	
Sub-Total			<u>9</u>
<u>Sex</u>			
Exclusion	(M-0, F- 1)	1	
Discrimination	(M-0, F-35)	<u>35</u>	
Sub-Total			<u>36</u>

Analysis of Charges Recommended for More Information (Cont'd)

UNION PRACTICES (CONT'D)

<u>National Origin</u>		
Exclusion	1	
Discrimination	6	
Classification	<u>1</u>	
Sub-Total Natl. Origin		<u>8</u>
<u>Unspecified</u>		
Exclusion	5	
Discrimination	29	
Classification	<u>5</u>	
Sub-Total		<u>39</u>
Total Union Practices		<u>213</u>

EMPLOYMENT AGENCY PRACTICES

PRIVATE EMPLOYMENT AGENCIES

<u>Race</u>		
Referral	<u>6</u>	
Sub-Total		<u>6</u>
<u>National Origin</u>		
Testing	1	
Miscellaneous	<u>1</u>	
Sub-Total		<u>2</u>
Total Private Employment Practices		<u>8</u>

STATE EMPLOYMENT AGENCIES

<u>Race</u>		
Referral	13	
Testing	<u>3</u>	
Sub-Total		<u>16</u>
<u>Sex</u>		
Testing (M-0, F-2)	<u>2</u>	
Sub-Total		<u>2</u>
<u>National Origin</u>		
Miscellaneous	<u>1</u>	
Sub-Total		<u>1</u>

Analysis of Charges Recommended for More Information (Cont'd)

STATE EMPLOYMENT AGENCIES (CONT'D)

Unspecified

Referral	10	
Testing	<u>1</u>	
Sub-Total		<u>11</u>

Total State Employment Agency Practices		<u>30</u>
---	--	-----------

Total Employment Agency Practices		<u>38</u>
-----------------------------------	--	-----------

LABOR MANAGEMENT PRACTICES

Race

Apprenticeship Denial	1	
Training/Retraining	<u>2</u>	
Sub-Total		<u>3</u>

Total Labor-Management Practices		<u>3</u>
----------------------------------	--	----------

EMPLOYER-UNION-AGENCY PRACTICES

Race

Retaliation	1	
Sub-Total		<u>1</u>

Sex

Advertising	4	
Sub-Total		<u>4</u>

National Origin

Retaliation	1	
Sub-Total		<u>1</u>

Total Employer-Union-Agency Practices		<u>6</u>
---------------------------------------	--	----------

MORE INFORMATION

Alabama	80
Alaska	2
Arizona	17
Arkansas	4
California	239
Colorado	62
Connecticut	51
Delaware	7
District of Columbia	27
Florida	90
Georgia	79
Hawaii	4
Idaho	6
Illinois	208
Indiana	164
Iowa	12
Kansas	5
Kentucky	29
Louisiana	8
Maine	2
Maryland	67
Massachusetts	99
Michigan	68
Minnesota	16
Mississippi	4
Missouri	18
Montana	6
Nebraska	2
Nevada	6
New Hampshire	2
New Jersey	97
New Mexico	25
New York	318
North Carolina	95
North Dakota	4
Ohio	163
Oklahoma	29
Oregon	10
Pennsylvania	169
Puerto Rico	1
Rhode Island	<u>6</u>

MORE INFORMATION (CONT'D)

South Carolina	51
Tennessee	124
Texas	237
Utah	5
Vermont	1
Virginia	113
Washington	23
West Virginia	30
Wisconsin	30
Wyoming	3
Unspecified	<u>62</u>

Total

2960

Analysis of Charges for which there is No Probable Jurisdiction ----- 3886

TYPES OF CHARGES

Race

Untimely	706	
Less than 50 employees	23	
Political subdivision	117	
Educational Institution	11	
U. S. Government	106	
Not covered by Title VII	<u>185</u>	
Sub-Total		<u>1148</u>

Religion

Regilious Institution	1	
Educational Institution	2	
Untimely	35	
Political subdivision	4	
U. S. Government	16	
Not covered by Title VII	<u>17</u>	
Sub-Total		<u>75</u>

Sex

Untimely	(M-23, F-223)	246	
Less than 50 employees	(M- 0, F- 2)	2	
Political subdivision	(M- 3, F- 26)	29	
Educational Institution	(M- 0, F- 2)	2	
U. S. Government	(M- 6, F- 20)	26	
Not covered by Title VII	(M-12, F- 82)	<u>94</u>	
Sub-Total			<u>399</u>

National Origin

Educational Institution	3	
Untimely	90	
Less than 50 employees	6	
Political subdivision	28	
U. S. Government	24	
Not covered by Title VII	<u>41</u>	
Sub-Total		<u>192</u>

Other

Untimely	861	
Less than 50 employees	18	
Political subdivision	48	
Educational Institution	7	
U. S. Government	93	
Not covered by Title VII	<u>1045</u>	
Sub-Total		<u>2072</u>

Total No Probable Jurisdiction

3886

REJECTIONS

Alabama	75
Alaska	8
Arkansas	31
Arizona	37
California	346
Colorado	106
Connecticut	47
Delaware	15
District of Columbia	59
Florida	115
Georgia	108
Hawaii	7
Idaho	14
Illinois	228
Indiana	170
Iowa	16
Kansas	22
Kentucky	50
Louisiana	39
Maine	1
Maryland	90
Massachusetts	67
Michigan	124
Minnesota	26
Mississippi	29
Missouri	55
Montana	6
Nebraska	9
Nevada	12
New Hampshire	5
New Jersey	184
New Mexico	67
New York	299
North Carolina	138
North Dakota	10
Ohio	263
Oklahoma	27
Oregon	25
Pennsylvania	163
Puerto Rico	1
Rhode Island	4
South Carolina	71
Tennessee	75

Texas	222
Utah	8
Vermont	3
Virginia	220
Washington	30
West Virginia	35
Wisconsin	38
Wyoming	2
Unspecified	<u>51</u>

Total

3886

SEX DISCRIMINATION

Out of 11,172 charges either Recommended for Investigation, Deferred for State or Local Action, or Returned for Additional Information 2410 pertained to Sex as follows.

EMPLOYER PRACTICES

Hiring	(M-48, F-160)	208	
Discharge	(M- 8, F-199)	207	
Compensation	(M-10, F-388)	398	
Terms	(M-96, F-668)	964	
Conditions	(M-20, F-110)	130	
Classification	(M- 7, F-111)	118	
Miscellaneous	(M- 5, F- 42)	<u>47</u>	
Sub-Total			<u>2072</u>

UNION PRACTICES

Exclusion	(M- 0, F- 18)	18	
Discrimination	(M-37, F, 204)	241	
Classification	(M- 6, F, 35)	<u>41</u>	
Sub-Total			<u>300</u>

EMPLOYMENT AGENCY PRACTICES

Referral (M-6, F, 8)	14	
Testing (M-1, F, 5)	<u>6</u>	
Sub-Total		<u>20</u>

LABOR-MANAGEMENT

Training/Retraining		<u>1</u>
---------------------	--	----------

EMPLOYER-UNION-AGENCY-PRACTICES

Retaliation (M-0, F-7)	7	
Advertising (M-2, F-8)	<u>10</u>	
Sub-Total		<u>17</u>

Total

2410

Out of 3886 charges for which there is no probable jurisdiction, 399 pertained to Sex as follows.

Untimely	(M-23, F, 223)	246
Less the 50 employees	(M- 0, F- 2)	2
Political subdivision	(M- 3, F- 26)	29
Educational Institution	(M- 0, F- 2)	2
U. S. Government	(M- 6, F- 20)	26
Not covered by Title VII	(M-12, F- 82)	<u>94</u>

Total

399

Total Sex Discrimination

2809

APPENDIX J

WHITE COLLAR INVITATIONAL LETTER



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

Dear Mr. :

The Equal Employment Opportunity Commission has scheduled New York City Hearings on Discrimination in White Collar Employment for January 15-17, 1968. The Commission would welcome your company's participation at these hearings and the purpose of this letter is to invite your appearance and testimony.

The Commission's principal objective in holding these hearings can be simply stated: to facilitate greater utilization of minorities in white collar jobs. The attached document will provide background on our decision to undertake the planned public hearings in execution of this objective.

Let me indicate what sort of testimony we seek and what the tone of the hearings will be.

We want to hear brief testimony from major companies who have been successful in locating and utilizing relatively large numbers of minorities for white collar positions from clerical jobs on up, as well as from companies who, despite their good intentions, may have found difficulty in so doing. We believe that such testimony will be instructive for all concerned. We particularly hope that those companies that have found it profitable to reexamine and restructure their recruitment, testing, hiring, training, or promotional practices in order to insure equal opportunity will tell us of their efforts and results they have achieved. And, where honest efforts have been made and met with no success, we want to hear of those as well, since we believe the Commission could contribute to making such efforts more successful in the future.

While Commission presentation will clearly illustrate the extent of minority underutilization in white collar positions as revealed by analysis of data from the 1966 and 1967 employer reporting forms filed with the Commission, we do not intend to hold adversary proceedings with any of the companies that testify. Employment statistics for no individual company will be cited unless the company itself might wish in its testimony to make such reference.

We do intend to question witnesses following their testimony. We want to learn as much as we can from those employers who have acted to achieve equal employment opportunity. We feel questioning will also assure a dialogue that goes beyond traditional but superficial assessments of the problems experienced by other employers in the utilization of minorities.

I would appreciate your advising me by December 1 whether your company would plan to appear and testify at the hearings on January 15th. Recognizing the importance and urgency of the problem under discussion, I would urge and welcome the personal participation of the chief executive officer (accompanied as he may see fit). If such attendance should prove unfeasible we would make every effort to accommodate an appearance by a designated representative. Assuming your company's agreement to appear, we will attempt to arrange for presentation of testimony at a mutually convenient time.

I sincerely hope we can arrange your company's participation in this vitally important endeavor.

Sincerely,

Clifford L. Alexander, Jr.
Chairman

Attachment

BIBLIOGRAPHY

- American Bar Association, Labor Law Section. Program of the 1966 Annual Meeting. Montreal, Canada, 1966.
- Berg, Richard K. "Equal Employment under the Civil Rights Act of 1964." Brooklyn Law Review (December, 1964).
- *Davis, Walter. Memorandum on personnel, August 31, 1965.
- *Hernandez, Aileen C. Memorandum, March 16, 1966.
- *Institute of Labor and Industrial Relations. "A Study of Patterns of Discrimination in Employment for the Equal Employment Opportunity Commission, Washington, D. C." Ann Arbor, 1966. (Mimeographed.)
- _____. Document and Reference Text. Ann Arbor, 1967.
- *Jackson, Samuel C. Memorandum, February 10, 1966.
- *"Joint Meeting of the Federal Power Commission and Equal Employment Opportunity Commission with Representatives of the Utilities Industry." Transcript of the meeting held in Washington, D. C., June 12, 1968.
- *McVeigh, Edward J. Letter to Warren B. Irons, April 6, 1965.
- "Opening Equal Job Opportunity." NAM Reports, May 13, 1968, pp. 24-6.
- *Pollack, Stephen. Letter to Clifford Alexander, July 5, 1968.
- *Potomac Institute. "Staffing Functions and Operational Structure of EEOC." Washington, D.C., 1965. (Mimeographed.)
- *Roosevelt, Franklin D., Jr. Letter to Lyndon B. Johnson, October 29, 1965.
- *_____. Memorandum on employment procedures to Luther Holcomb, July 22, 1965.
- *Forwarded as documentation in the order listed.

U.S. Congress. Senate. Committee on Appropriations. Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations for Fiscal Year 1966, Hearings, before the subcommittee of the Committee on Appropriations, United States Senate, on H.R. 8639, 89th Cong., 1st sess., 1965.

U.S. Congress. House. Committee on Appropriations. Departments of State, Justice, Commerce, the Judiciary, and Related Agencies Appropriations for 1967, Hearings, before a subcommittee of the Committee on Appropriations, House of Representatives, 89th Cong., 2d sess., 1966.

U.S. Congress. Senate. Committee on Labor and Public Welfare. Nomination, Hearing, before the Committee on Labor and Public Welfare, United States Senate, on Clifford L. Alexander, Jr., New York, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1972. 90th Cong., 1st sess., 1967.

_____. Nomination, Hearing, before the Committee on Labor and Public Welfare, United States Senate, on Elizabeth Kuck, of Illinois, to be a member of the Equal Employment Opportunity Commission. 90th Cong., 2d sess., 1968.

_____. Nominations, Hearing, before the Committee on Labor and Public Welfare, United States Senate, on Franklin D. Roosevelt, Jr., Aileen Hernandez, Richard Graham, Samuel Jackson, and Rev. Luther Holcomb, to be members of the Equal Employment Opportunity Commission. 89th Cong., 1st sess., 1965.

_____. Nominations, Hearing, before the Committee on Labor and Public Welfare, United States Senate, on Stephen N. Shulman, of Virginia, to be a member of the Equal Employment Opportunity Commission. 89th Cong., 2d sess., 1966.

_____. Nominations, Hearing, before the Committee on Labor and Public Welfare, United States Senate, on Vicente T. Ximenes, New Mexico, to be a member of the Equal Employment Opportunity Commission, for the term expiring July 1, 1971. 90th Cong., 1st sess., 1967.

U.S. Congress. Senate. Senator Javits speaking for S. 1308, 90th Cong., 1st sess., May 3, 1967, Congressional Record.

*U.S. Department of Health, Education, and Welfare. "Joint Federal Agency Meeting with Executives of the Pharmaceutical Industry." Transcript of proceedings held at Washington, D.C., October 6, 1967. (Mimeographed.)

*Forwarded as documentation in the order listed.

*U.S. Equal Employment Opportunity Commission. "Elimination of Discrimination by Affirmative Government Action." Project outline for Fiscal Year 1968 by the Office of State and Community Affairs, July, 1968. (Mimeographed.)

_____. Employment Patterns in the Drug Industry, 1966. Washington, D.C.: Government Printing Office, 1967.

* _____. "Employment Patterns in the Utilities Industry, 1966-67." Washington, D.C., 1968. (Typewritten.)

* _____. "First Annual Digest of Legal Interpretation, July 2, 1965 through July 1, 1966." Washington, D.C., 1966. (Mimeographed.)

_____. Guidelines on Employment Testing Procedures. Washington, D.C.: Government Printing Office, 1967.

* _____. "Hearing for Consideration of Amendment Proposed by the Commission to Subpart B, Chapter XIV, Title 29 Code of Federal Regulation." Stenographic Transcript of Public Hearings, December 21, 1966, Washington, D.C. (Mimeographed.)

* _____. "Hearing on Apprenticeship Recordkeeping Requirements." Stenographic Transcript of Public Hearings, November 8, 1967, Washington, D.C. (Mimeographed.)

_____. Hearings on Discrimination in White Collar Employment, New York, New York, January 15-18, 1968. Washington, D.C.: Government Printing Office, 1968.

_____. Legislative History of Titles VII and XI of Civil Rights Act of 1964. Washington, D.C.: Government Printing Office, 1968.

* _____. "A Nearly Free Market for Ohio Rubber Manufacturers but not for Ohio Negroes," by Alan B. Batchelder. Washington, D.C., 1967. (Typewritten.)

* _____. "Negro Employment in St. Louis, 1966," by Donald D. Osburn. Washington, D.C., 1968. (Typewritten.)

* _____. "Negro Employment in the Textile Industries of North and South Carolina," by Donald D. Osburn. Washington, D.C., 1966. (Typewritten.)

* _____. "Nine City Minority Group Profile." Washington, D.C., 1967. (Typewritten.)

*Forwarded as documentation in the order listed.

- * _____. "Official Report of the Proceedings before the Equal Employment Opportunity Commission." Stenographic Transcript of Public Hearings, June 20, 1967, Washington, D.C. (Mimeographed.)
 - * _____. "Proposed Employer Reporting System." Transcript of Public Hearings, December 16, 1965, Washington, D.C. (Mimeographed.)
 - * _____. "Public Hearing on EEOC's Proposed Apprenticeship Report, Form EEO-2, and Labor Organization Report, Form EEO-3, and Instructions." Transcript of Proceedings, March 21, 1967, Washington, D.C. (Mimeographed.)
 - * _____. "Recommendations on Research in Job Opportunities Made by the Ad Hoc Research Advisory Group, February 2, 1966." Washington, D.C., 1966. (Typewritten.)
 - * _____. "The Role of the EEO-1 Reporting System in the Commission." Washington, D.C., 1967. (Typewritten.)
 - * _____. "Testing of Minority Applicants for Employment," by Phyllis Wallace, et al. Washington, D.C., 1966. (Typewritten.)
 - * _____. "Textile Employment Forum." Transcript of proceedings held in Charlotte, North Carolina, January 12, 1967.
 - * _____. "White Collar Employment Opportunities for Minorities in New York City," by Dale L. Hiestand. Washington, D.C., 1967. (Typewritten.)
- U.S. President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1963- . Lyndon B. Johnson, 1965.
- U.S. President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1963- . Lyndon B. Johnson, 1966.
- U.S. President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1963- . Lyndon B. Johnson, 1967.
- U.S. President. Public Papers of the Presidents of the United States. Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1963- . Lyndon B. Johnson, 1968.

*Forwarded as documentation in the order listed.

*Valentino, Mary P. Letter to John W. Macy, June 29, 1965.

White House Conference on Equal Employment Opportunity, August 19-20,
1965. Report. Washington, D.C.: Government Printing Office,
1965.

*Forwarded as documentation in the order listed.

INDEX

- AFL-CIO, 43, 69, 71, 72,
106-7, 201-2
- APANY, 202-3
- Abramson, Frederick B.,
Appendix B
- Airlines Hearings, see Sex
Guidelines
- Albuquerque Area Office, 40-1,
43-4
- Alexander, Clifford L., Jr., 30,
32-3, 66, 79, 102, 117, 128,
147, 152, 154, 160-2, 164,
167-8, 195, 240
Appendix B
- Aluminum Workers International
Union, 122-3
- Amalgamated Meat Cutters and
Butcher Workmen, 124
- American GI Forum, 43, 47, 185
- American Textile Manufacturers
Institute, 143
- Apprentice Outreach Program, 198
- Arriba Juntos, 49
- Associated Hospital Service, 125
- Association of Personnel
Agencies of New York,
see APANY
- Atlanta Regional Office, 40-1,
44-5, 144
- Atomic Energy Commission, 166-7
- Attorney General, see Justice,
Department of
- Austin Regional Office, 40-1,
42-3
- Banks vs. Lockheed-Georgia Co.,
263-4
- Batchelder, Alan, 171
- Berg, Richard K., 16, 35-6,
Appendix B
- Birmingham Area Office, 45
- Black, Hugo, 27
- Blumenfeld, Michael, Appendix B
- Blumrosen, Alfred, 35-6, 137,
Appendix B
- B'nai B'rith Anti-Defamation
League, 51
- Bona fide occupational qualifi-
cation, 12, 17, 23-5
national origin, 24
religion, 24
sex, 17, 24
see also Sex Guidelines
- Brooke, Edward W., 99
- Budget, Bureau of, 37, 58, 63, 64,
69, 100, 206
- Budget, Commission, 35, 57-9,
Appendix E
Congressional consideration
58, 98-103
- Building Trades Council of
Baltimore, 198
- Bureau of Apprenticeship and
Training, see Labor,
Department of
- Bureau of Employment Security,
see Labor, Department of
- Bureau of National Affairs, 60
- Burger, Warren E., 33
- Butler, George O., Appendix B
- CORE, 47
- Carraciolo, Frank S., Appendix B
- Case, Clifford, 7, 89, 97
- Celler, Emanuel, 6, 16, 87
- Central Foundry Co., 123-4
- Cessna Aircraft Co., 127
- Chamber of Commerce, 70, 91,
194
- Charge, (of discrimination), 13,
45, 53, 104-7, 139, 253-8
Commissioner, 68, 107-12,
155
individual, 105-7
investigation, 39, 47-9, 50-1,
104-5, 113, 259-61
litigation, 8, 13-4, 45, 48, 50,
114, 264-9

- Chase, Gordon, 160, 166,
Appendix B
Chemical Workers vs. Planters
Manufacturing Co., 253-4, 266
Chicago Regional Office, 40-1,
46-7, 191
Cikins, Warren I., Appendix B
Civil Service Commission, 28-30,
37, 39
Clark, Charles, 47-8, Appendix B
Clark, Joseph, 7, 78, 88, 95
Clark, Ramsey, 91
Clasen, Glenn, 45, Appendix B
Cleveland Regional Office, 40-1,
48-9
Cohelan, Jeffrey, 87
Cohen, Manuel F., 167
Combustion Engineering, Inc.,
125-6
Commerce, Department of, 195
Commission decision, 104-5, 113-4
247-51, 261-2
Commission on Civil Rights, 230
Community Relations Service, see
Justice, Department of
Complaint, see Charge
Compliance Process, 43-5, 51,
104-28, 226, 229
backlog, 116-8
confidentiality, 17, 18-20
"How to File a Complaint,"
Appendix F
statistics, Appendix I
see also Charge; Commission
decision; Conciliation
Conciliation, 13, 39, 45, 48, 49-51,
53, 68, 104-5, 113-16, 119-127,
263-4
landmark agreements, 119-127
standard agreements, Appendix H
Construction Industry Joint
Conference, 69, 72, 107
Conyers, John, Jr., 96
Corona, Bert N., 185
Cousens, Frank, 212, 214
Cunningham vs. Litton Industries,
263
Dallas Regional Office, 40-1, 42
Davis, Walter, 31
Defense, Department of, 48, 120,
230
Dent vs. St. Louis-San Francisco
Railroad, 262
Diaz, Manuel, Jr., Appendix B
Dirksen, Everett, 7, 15, 87, 94, 98
Dominick, Peter, 79, 94
Douglas Aircraft Co., 182
Dubuque Packing Co., 124
Duncan, Charles T., 246
Appendix B
EEOC vs. Local 5, IBEW, 257-8, 259
Eastman Kodak Co., 182
Eberle, John, Appendix B
Edelsberg, Herman, 108, 135, 185,
187, Appendix B
Employment testing, see Testing,
employment
Equal Pay Act, 12, 227, 243
Fair employment practice
commissions, state, see
State fair employment practice
commissions
Fannin, Paul, 80, 92
Federal Mediation and Conciliation
Service, 230
Federal Paper Board Co., Inc., 121
Federal Power Commission, 164-9,
230
Feirtag, Eric, 36
Field Offices, 40-2, 58, 67, 105,
110, 114
see also specific offices
Fleming, Harold C., 37
Flores, Augustine, 185

- Food and Drug Administration, see
Health, Education and Welfare,
Department of
Frug, Gerald E., Appendix B
- Gale, Robert, 130-1, Appendix B
General Cable Corp., 124-5
Gibbs, Alan, 45, Appendix B
Glickstein, Howard, 35, 36
Goddard, James L., 160, 162
Goodell, Charles E., 96
Graham, Richard A., 27, 35, 77, 81
107-8, 182, 185-7, Appendix B
Gray, Chester, 48, Appendix B
Griffin, Robert, 79
Guffey, Hazel, 37
- Hart, Philip A., 87, 98
Hartke, Vance, 98
Hawkins, Augustus, 86, 87
Health, Education and Welfare,
Department of, 46, 230
Food and Drug Administration
158-164
Hernandez, Aileen C., 27, 35, 77, 80,
114-15, 137-8, 178-9, 182, Appendix B
Hernandez, Alfred J., 185-6
Hiestand, Dale, 134, 154
Hill, Lister, 79, 92
Holbert, Kenneth, Appendix B
Holcomb, Luther, 27, 30, 32, 35, 42,
65, 77, 81, 91, 99, 100, 132, 142,
194, 196, 197, 236, 237, 240, Appendix B
Holland, George, Appendix B
Hollowell, Donald, 44, Appendix B
Humphrey, Hubert, 6, 7, 55, 188
evaluation of Title VII, 8, 15,
249
Hunt, Bruce, 36
Hunt, James W., 93
- Illinois State Fair Employment
Practice Commission, 191
- International Brotherhood of
Teamsters, 106-7
International Molders and
Allied Workers Union,
123-4
Intertribal Council of the
Five Civilized Tribes, 43
- Jackson, Marie Poston,
Appendix B
Jackson, Samuel C., 27, 36,
62, 77, 91, 101-2, 107-8,
109-10, 114-5, 127-8,
137-8, 142, 147, 177-8,
180-1, 182, 194, 240,
Appendix B
Javits, Jacob K., 79, 88, 89,
101-2, 103
Jenkins vs. United Gas Corp.,
254-5, 262, 263, 266-7,
269
Job Fair Program, 44, 195
Joelson, Charles S., 102
Johnson, Lyndon B., 4, 8,
27-8, 52, 55, 56-7, 77,
84-6, 87, 103, 187-88,
Letter of Transmittal,
Foreword
Johnson vs. Seaboard Airline
Railroad, 262
Jones, James L., Appendix B
Justice, Department of, 3, 7,
8, 35, 36, 48, 84, 93, 96-7,
228-9, 268
Community Relations Service,
229
referral of cases by EEOC,
15, 19-20, 68, 104-5, 116,
127-8, 228
- Kaiser Aluminum and Chemical
Corp., 122-3
Kansas City Area Office, 40-1,
47-8

- Kendrick, William, 164-5, 81-2
162-3, 174, Appendix B
- Kennedy, John F., 3, 5.
- Kennedy, Robert, 79
- Kentucky Commission on Human Rights,
208-9
- King vs. Georgia Power, 255-6
257, 261-2, 266
- Kuchel, Thomas, 7, 90
- Kuck, Elizabeth J., 33, 80
Appendix B
- Labor, Department of, 4, 28, 35,
36, 48, 50, 57, 90, 198
Bureau of Apprenticeship and
Training, 69-70, 71, 73, 224, 227
Bureau of Employment Security, 227
Manpower Development and Training
Administration, 44, 47, 198, 227
Office of Federal Contract Compliance,
4, 46, 48, 64, 160, 225-7
Wage, Hour and Public Contracts
Division, 227-8
- Labor unions, see Trade unions
- Lawrence, Maurice, 50
- League of United Latin American
Citizens, 43
- League of Women Voters, 44
- Levin, Arthur J., 37
- Lewis, Roger E., Appendix B
- Lockheed Missiles and Space
Co., 126, 193
- Long, Russell B., 100
- Los Angeles Area Office, 40-1, 49-50
- Love, F. Sadler, 143
- McClellan, John L., 99, 101
- McCulloch, William 6, 15
- McKenzie, Roger, Appendix B
- McLain, Elmer, 46, Appendix B
- McVeigh, Edward J., 28-9
- Manpower Development and
Training Administration,
see Labor, Department of
- Mansfield, Mike, 7, 103
- Markham, Charles B., 61,
132-4, 168, Appendix B
- Marshall, Burke, 35
- Mexican American Affairs,
Inter-Agency Committee on,
187-8
- Miller vs. International Paper,
263
- Montoya, Joseph M., 79
- NAACP, 43, 44, 45, 46, 47, 48,
51, 106, 120, 122, 129, 139,
191
- National Alliance of Business,
44, 46, 47
- National Association of
Manufacturers, 155-6, 194-5
- National Council of Churches,
193-4
- National Labor Relations Board,
4, 22, 36, 46, 94, 224,
229-30
- Neighborhood Youth Corps, 191
- New Orleans Area Office, 40-1,
45-6
- New Plants Program, 45, 51,
181-5
- New York City Commission on
Human Rights, 153-4
- New York Regional Office, 40-1,
50-1
- New York State Commission on
Human Rights, 151-2, 202-3
- Newport News Shipbuilding and
Drydock Co., 120-1, 127
- North Carolina Good Neighbor
Council, 136, 138, 145
- Oatis vs. Crown Zellerbach Corp.
254
- Office and Professional Employees
International Union, 126-7

- Office of Economic Opportunity, 46, 47-8, 191, 230
- Office of Federal Contract Compliance, see Labor, Department of
- Ohio Civil Rights Commission, 171
- Orringer, Benjamin, Appendix B
- Osburn, Donald, 134, 138-9, 140, 171-2
- Owens-Illinois, Inc., 182
- Pastore, John, 101-2, 103
- Pell, Claiborne, 78
- Peña, Albert, 186
- Peninsula Shipbuilders' Association, 120
- Pittsburgh, University of, 270
- Plans for Progress, 48, 62, 63-4, 178, 181-2, 225
- Posey, Monte, Appendix B
- Potomac Institute, 37-9
- Powers, N. Thompason, 99, Appendix B
- President's Committee on Equal Employment Opportunity, 3-4, 62, 225, 226-7
- Prouty, Winston L., 78
- Puerto Rican Forum, 51
- Quarles vs. Philip Morris, Inc., 257
- Quinn, Frank, 49, Appendix B
- Radio Corporation of America, 182
- Randolph, Robert L., Appendix B
- Reeves, Frank, 36
- Reid, Ogden, 86-7, 102
- Religious Guideline, 125, 235-7
- Reporting and recordkeeping system, 8, 14-15, 16-17, 19, 59-75
- apprenticeship program, 66, 69-73, 201-2, 209
- employer, 61-8, 204-9
- employment agency, 62-3 74-5
- Joint Reporting Committee, 64, 225, 226
- trade union, 69-73, 201-2, 209
- Robertson, Peter, Appendix B
- Robles, Tom, 43, Appendix B
- Rooney, John J., 99, 101, 102
- Roosevelt, Franklin D., Jr., 27, 30, 32, 35, 37, 52-3, 56, 65, 77, 81, 99, 108-9, 132, 174, 180, 181, Appendix B
- Roosevelt, James, 88
- Royer, John H., Jr. 30, Appendix B
- St. Louis Council on Human Rights, 171-2
- San Francisco Regional Office, 40-1, 49-50
- Sandia Corp., 126-7
- Seaborg, Glenn T., 167
- Securities and Exchange Commission, 166-7
- Segal, Ben D., Appendix B
- Seniority System, 12, 16, 53, 118, 196-7, 202, 205, 249-50, 252-3
- race discrimination, 120-4
- sex discrimination, 124-5, 237-45
- Sex Guidelines, 98
- airline hearings, 239-40
- bona fide occupational qualification, 238-40
- employment agency, 242-3
- job opportunities advertising, 240-2
- pension plan, 244-5
- seniority system, 240
- state protective legislation, 243-4

- Shefrin, David, Appendix B
Shulman, Stephen N., 32, 78,
91, 101-2, 136-7, 140, 142,
143, 147, Appendix B
Small Business Administration
230
Smith, Howard, 7
Southwest Connecticut Project,
189-190
State fair employment practice
commissions, 8, 14-15, 16,
91, 204-9
conferences, 220-2
deferral to, 8, 13, 21-2, 35,
110-13, 258-9
grants to, 38, 101, 209-20
liaison with Regional Offices,
40-51
Memorandum of Understanding,
111-12, Appendix G
State protective laws, 17, 25,
250-1
See also Sex Guidelines
Steiner, Daniel, Appendix B
Summer Tension Cities Program
199-201

TEAM, 145-6
Testing, employment, 12, 17, 53,
93-4, 116, 126, 144-5
See also Testing Guideline
Testing Guideline, 232-4
Textile Employment Forum, 44,
128, 133-146, 147, 150
Trade unions, 49, 69-71, 122-4,
194, 196-202, 209, 254
See also AFL-CIO
Traylor, Lorenzo, 49-50, Appendix B
Tri-Faith Employment Agency, 191
Trucking Industry Program, 190-1

United Papermakers and Paperworkers,
121
United States Pipe and Foundry Co., 122

Urban League, 43, 44, 46, 47,
49, 51, 178, 179, 181, 191,
198

Valentino, Mary P., 29,
Appendix B
Veterans Administration, 160

W. T. Grant and Co., 121-2
Wage, Hour and Public Contracts
Division, see Labor, Depart-
ment of
Wallace, Phyllis, 161
Warwick Electronic Co., 124
Washington Area Office, 40-1,
51
Wayne State University, 210-15
Weeks vs. Southern Bell, 257
Wells, Gwendolyn, 51,
Appendix B
White Collar Hearing, 74-5,
128, 132-4, 135, 137, 146-
56, 148-58
invitational letter, Appendix J
White House Conference on Equal
Employment Opportunity,
54-57, 60, 62, 70, 74
White, Lee C., 164, 167, 168
Williams, Lee, 42, Appendix B
Wirtz, W. Willard, 91
Wisconsin Industrial Commission,
73
Ximenes, Vicente T., 33, 79,
187-8, 240, 243, Appendix B