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IOWA STATE HIGHWAY COMMISSION'S EQUAL EMPLOYMENT ACTION PLAN

JULY 1971



THESE AFFIRMATIVE ACTIONS ARE PROPOSED FOR AN INDEFINITE
PERIOD UNTIL SUCH CHANGES SEEM NECESSARY

IOWA STATE HIGHWAY COMMISSION'S
EQUAL EMPLOYMENT ACTION PLAN

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for an indefinite period until such changes
seem necessary.

Equal Employment Opportunity
Section of the Personnel Department

July 1971

Preface

The current influx of this new era of the minority and disadvantaged members into the world of work and the demand for more efficient leaders to help achieve the goals set before us in varied fields of labor stimulated the publishing of this book.

This publication does not, however, offer a full picture of what the organization of an efficient Affirmative Action program could be. We suggest, primarily, ways in which an Affirmative program can serve and some patterns by which we will be most actively involved in ministering the program. We hope, through practical suggestions, to communicate a philosophy of service that will encourage supervisors to explore further possibilities in creative activities for the development of stable employees from initial employment to retirement.

The possibilities for innovations and further explorations to better our program are unlimited. Each department, resident or district, should dare to find new ways and approaches to lift as we climb. You must contribute in order for our program to expand.

Acknowledgement

A special thanks to Harold Carr, Wesley Chapman, Merel Staley, Wayne Wilson, Bishop A. B. Carter, Sr., Roger Maxwell, Richard Zickefoose, Dr. Bernard Gerstein, Alvin Hayes, Russel Jacobs, Henry Bagby, John Estes, Edna Griffin, Frank Dixon, Silas Ewing, Anna Mae Weems, Robert Tyson, Vernon Hill, Richard Dunham, Harold Pollard, Lola Rhem, Archie Arvin, Eldon Siemers, J. A. Legarra, Don Wicklund, Richard Carter, Jerry Dudak, Billy Key, Mike Casey, Henry Carter, Virgil Miller, Emma Hill, Charles Crook, Herman Wadworth, Ken McNichols, Rev. William Frison, and Josephine Said for pertinent information and/or encouragement during my first year of employment as EEO Officer with the ISHC.

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INTRODUCTION

Iowa State Highway
Commission's Equal
Employment Officer

Aaron B. Carter, Jr.



There is no mistaking the fact that we are living in an unusual day. These are times that man has never seen and God himself has seldom seen. Our world stands on the brink of destruction caused by problems that we have created and now seem unable to solve. The problem that we face is urgent. The nation can wait no longer! America faces the future with apprehension; although they do not lie in ruins, the great institutions of land are showing cracks in the wall. Manners and customs are deteriorating, morals are breaking down, flagrant evils abound, poverty blights the lives of thousands; slums are a part of every city. Peace is precarious, it's ALL so urgent. The seventies might well become the "do or die" decade. We have been placed into this tragic dilemma largely through the blunders of man, who for so long has held the reign of power. Today's employers who have become of age will ultimately hold the key as to which direction our nation will take--the decision that they make might well determine the rise and/or fall of this civilization.

Iowa State Highway Commission

P O L I C I E S A N D P R O C E D U R E S M A N U A L

Div: Administration Dept: Personnel

Effective date: September 17, 1969 Amended: _____

P.P. Div. I Administration

001. Jursidiction

All positions in the Iowa State Highway Commission, except the five Highway Commissioners and the Director of Highways, shall be governed by these policies and procedures.

002. Equal Employment Opportunity

a. Statutory Authority

As stated in Chapter 95, Section 18, Acts of the 62nd General Assembly, "No person shall be appointed or promoted to, or demoted or discharged from, any position in the merit system, or in any way favored or discriminated against with respect to employment in the merit system because of his political or religious opinions or affiliations or race or national origin or sex, or age."

b. General Policy

Within this legislative directive, it is the policy of the Iowa Highway Commission to actively recruit and employ and train significant numbers of black persons as well as members of other minority groups to the extent that equal employment opportunity is provided to all job applicants.

c. Specific Policies

1. A specific policy statement shall be displayed at all times on bulletin boards in all headquarter and field offices setting forth the Commission's

Iowa State Highway Commission

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purpose of recruiting qualified minority group applicants. Every attempt shall be made to assure these groups and agencies that the major effort of the Commission in the recruitment and employment of minority group members is aimed at the improvement of their soci-economic status rather than merely to meet a quota.

d. Procedures

1. A report shall be submitted by the Personnel Director to the Highway Commission at the second meeting session of each month outlining the progress that the staff of the Highway Commission has made during the previous month to increase the number of minority group persons employed in full-time permanent positions.
2. A monthly report shall be filed by each department, district, and residency with the Personnel Department, giving an account of all minority group persons interviewed for employment during the previous month. This report shall be submitted to the Personnel Department within five (5) working days following the end of the month and shall include the reasons for not selecting minority group applicants.

e. Responsibility

Responsibility for the implementation and enforcement of the equal employment opportunity program is delegated by the Director of Highways to the Personnel Director, who will function in this capacity as the Highway Commission Equal Employment Opportunity Officer.

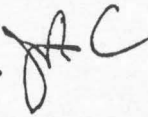
IOWA STATE HIGHWAY COMMISSION

To Dept.

Date September 22, 1971

Attention All Employees

REFER TO:

From J. R. Coupal, Jr. 

Subject Minority Group Employment Policy

The purpose of this directive is to reaffirm to the employees of the Iowa State Highway Commission that there shall continue to be appointments, promotions, assignments, training and performance evaluation on the basis of merit and fitness without regard to race, color, religion, national origin, ancestry, age, sex, or political affiliation and to call your attention to Division I-002 of the Personnel Policies and Procedures Manual.

It is the increasing desire of the management of this organization to provide employment opportunities for minority group members and other disadvantaged persons and to establish necessary training programs for the purpose of improving the work performance and the promotional potential of such persons who become employed.

All hiring authorities within our agency shall interview and give every consideration to all qualified minority group members who are referred for selection to current vacancies to the extent that appointments and promotions are made strictly on the basis of qualifications and ability to perform the duties of the job. Records shall continue to be maintained by each department, district, and residency accounting for all interviews and affirmative action activities.

All members of this organization, supervisors as well as workers, are urged to give all possible assistance to minority group employees and to lend support to each facet of our Equal Employment Opportunity Program. It is not sufficient merely to be against discrimination to make this policy effective. In our daily work we must consciously take affirmative actions to assure equality of opportunity for all employees.

bab

Questionnaire Assessment
to Establish a System
for Employment of the
Disadvantaged

Questionnaire

Employment of the Disadvantaged

1. Have you made positive efforts to recruit members of minority groups? Yes No
If "yes," please describe the steps you have taken.
2. Do you do anything to acquaint people -- especially those not experienced in test-taking -- with the mechanics of taking written tests or other kinds of examinations? Yes No. If "yes," please describe the procedure you use and attach a copy of your practice test or other materials.
3. Do you employ job analysis (beyond that conducted for classification and pay purposes) as a prelude to planning the selection process for original appointment? Yes No
For promotion? Yes No. If "yes," in either or both cases, please describe below how you relate the selection process to the demands of the job.
4. Have you developed "culture-fair" written tests for any categories of employment? Yes No. If "yes," please list the categories below.
5. Have you attempted to establish predictive validity for any of the examinations you give? Yes No. If "yes," please give the names of the examinations, and the procedure used in validating these tests.

12. Have you conducted any research on minority group pass/fail ratios for any of your examinations? Yes No. If "yes," please describe this research below, and the results.

13. Are you permitted to appoint disadvantaged individuals to positions in the classified service without further examination if they satisfactorily complete a prescribed training course? Yes No. If "yes," please list the kinds of positions this policy applies to.

14. Are you at present, or have you recently been involved in any court cases involving charges of discrimination in employment, equal employment opportunity and the like? Yes No. If "yes," please summarize the case and the issues involved below. If the case has been decided, be sure to give the citation.

15. Apart from what you have reported here, what major barriers to employment of the disadvantaged can you identify? Are they in your own law and rules? Attitudes and practices of operating departments? Lack of top-level leadership?

promotions will be approved from the top of the chain of command down to the originator who would be the supervisor of the incumbent.

4. No.
5. No - All testing is given by the Iowa Merit Employment Department, but we are aware that the U.S. Supreme Court has given notice that all general intelligence tests in selecting new employees are prohibited by law, and requiring an applicant to have a high school diploma is a violation of the employment-practices section of the 1964 Civil Rights Act. The court ruled that any testing that is done must "measure the person for the job and not the person in the abstract." The examinations must be related to job performance. The Iowa Civil Rights Commission is presently active in validating the tests for state government.
6. No - We are not allowed by law to practice discrimination of any nature--reversed or otherwise. Our policies express out intent--in summary: the jurisdiction of policies; fair employment procedures; sanctions for violation of policies and procedures; recruitment; placement: posting, referrals, transfers, promotions; disciplinary action: suspensions, demotions, terminations. We have developed pre-service training programs, and we hired a full time employee in the Personnel Department for the expressed purpose of assisting our agency in the establishment and maintenance of an Equal Employment Opportunity Program with emphasis on recruitment of minority group persons. His EEO Action Plan entails outreach and Surveillance activities; also programs to enhance the capabilities of qualifiable minorities.
7. Oral Exam, performance test, training and experience evaluation, evaluation of performance during probationary period, provisional appointments, work test appointments, seasonal appointments, cooperative training appointments, trainee appointments, temporary appointments.
8. Yes - but provisions were made in a recent selection of Engineer Aids who had to reach a minimum score to qualify for enrollment in a training program without regard to who scored highest, and upon successful completion of training we could offer a permanent job starting at a advance step in salary.
9. No.

The
MERIT SYSTEM
of
IOWA

1971

Chapter 12

Chapter 15

CHAPTER 12

APPEALS

- 12.1 Appeals of allocation or reallocation – The Appointing Authority or a permanent classified employee affected by an allocation or reallocation may within fourteen calendar days of the final action of the Director, on reconsideration, file an appeal to a qualified classification committee appointed by the Commission. The appeal request shall be filed in writing with the Director and shall contain affidavits, written evidence, statements or exhibits which are to be considered by the classification committee. The classification committee shall make such investigation as it deems necessary to determine the proper allocation or reallocation and make its findings in writing to the Commission. The findings of the classification committee shall be binding on all parties concerned and shall be presented within thirty calendar days of the receipt of the written appeal. Decisions of the classification committee shall stand until significant changes in duties and responsibilities of the position can be shown.
- 12.2 Appeal from examination rejection – Any applicant whose application to entrance or promotional examination has been rejected by the Director may appeal to the Commission for a review of the reasons for his rejection. Such right of appeal shall expire unless the applicant shall file written appeal to the Director within seven calendar days of notification of the rejection of his application. The Commission shall hear the appeal at its next regularly scheduled meeting, or at special meeting as the Commission may direct, and give its written decision within seven calendar days of the hearing date.
12.2 (1) Applicants who have made proper appeal may be admitted to the examination pending the Commission's decision.
- 12.3 Review of examination ratings – Any applicant who has taken an open competitive or promotional examination may appeal to the Commission for a review of his rating on any part of such examination to assure that uniform rating procedures have been applied equally and fairly. Such appeal right shall expire unless the applicant shall file written appeal to the Director within seven calendar days of notification of the examination results. The Commission shall hear the appeal at its next regularly scheduled meeting, or at special meeting as the Commission may direct, and give its written decision within seven calendar days of the hearing date.
12.3 (1) A rating in any part of an examination may be changed if compliance with the foregoing conditions has been met and it is found by the Commission that a substantial error has been made. A correction in the rating shall not affect a certification or appointment which may already have been made from the eligible lists.
- 12.4 Appeal for removal from eligible lists – An eligible whose name has been removed from an eligible list for any of the reasons specified in these rules may appeal to the Commission for reconsideration of such action. Such right of appeal shall expire unless the eligible shall file written appeal to the Director within seven calendar days of notification of removal. The Commission shall hear the appeal at its next regularly scheduled meeting, or at special meeting as the Commission may direct, and give its written decision within seven calendar days of the hearing date.
- 12.5 Appeal for veteran's preference – Any person entitled to veteran's preference of five points or ten points, as outlined in these rules and the Act, may appeal to the Commission his preference entitlement, placement on the eligible lists or certification method. Such appeal rights shall expire unless the person claiming veteran's rights shall file written appeal to the Director on notification of or his learning of the alleged mistake in granting veteran's preferences. The Commission shall hear the appeal at its next regularly scheduled meeting, or at special meeting as the Commission shall direct, and give its written decision within seven calendar days of the hearing date.
- 12.6 Appeal from discrimination – Any applicant or employee who has reason to believe that he has been discriminated against because of religious or political opinions or affiliations or race or national origin or any other non-merit factor in any personnel action including denial of transfer may appeal to the Commission. Such appeal shall be filed in writing and within ninety (90) calendar days of the alleged discrimination. The Commission shall hear the appeal at its next regularly scheduled meeting, or at special meeting as the Commission shall direct, and give its written decision within seven calendar days of the hearing date.

j. Any letter, paper, or other object offered at the hearing shall be properly presented and shall be marked with a distinguishing number, such as Appointing Authority Exhibit No. 1 or Appellant Exhibit No. 1. Opposing parties shall be entitled to examine the exhibits as offered and make objections where applicable.

k. Testimony may be presented in statement or question and answer form, and shall be recorded, transcribed or otherwise preserved as the Commission may direct.

l. No questioning shall be allowed or statements made, by any person attending the hearing, except through the Appointing Authority, the appellant, or their designated representatives or through the presiding officer of the Commission.

m. The members of the Commission, or the Director, shall have the power to administer oaths, subpoena witnesses and compel the production of books and papers pertinent to any investigation or hearing authorized by the Act.

n. Good reason appearing therefore, hearings may be continued beyond the period originally scheduled or recessed until a future day by agreement of the Commission and the parties. Request for continuance shall be made to the Commission at least one calendar week prior to the scheduled hearing date.

12.10 (2) Order of procedure on appeal:

a. The Chairman of the Commission, or any member of the Commission, designated by the Chairman, shall convene the Commission at the time and place specified for the purpose of hearing the appeal. Written notice of the time and place of the hearing shall be furnished in accordance with the Act and these rules.

b. The Chairman, or Commission member designated, shall state the subject of the hearing and the names of the principals.

c. The hearing shall be heard in the following manner:

(1) Presentation by the appellant, followed by responsive questioning by the Appointing Authority and the Commission.

(2) Presentation of the Appointing Authority, followed by responsive questioning by the appellant and the Commission.

(3) Closing statement by the appellant.

(4) Closing statement by the Appointing Authority.

(5) Submission of the case of the Commission.

Step 3 – If the classified employee is not satisfied with the decision of the next higher supervisor, he may within five (5) working days of written notification by the next higher authority file an appeal in writing to the Appointing Authority containing all pertinent matters which were brought forth in the first two steps. Within ten (10) working days of the written appeal, the Appointing Authority shall affirm the appeal, modify and affirm the appeal, deny the appeal or convene a hearing and present his decision in writing to the employee.

Step 4 – If the classified employee is not satisfied with the decision of the Appointing Authority, he may within five (5) working days of the written notification of the Appointing Authority file an appeal in writing to the Merit Employment Commission which shall contain all the pertinent matters which were brought forth in the first three steps. The Merit Employment Commission shall set a hearing for its next regular meeting or special meeting after receipt of written notification of the appeal. The Commission's decision shall be presented to the employee and the Appointing Authority within five working days of the hearing.

- 15.4 The employee may obtain judicial review of the Commission's decision by writ of certiorari as provided in the Rules of Civil Procedure.
- 15.5 If the employee fails to proceed with the grievance or complaint within any of the time limits set forth under 15.3, or special procedures approved by the Commission, it shall be assumed the grievance or complaint has been settled on the basis of the last decision reached.
- 15.6 If the Appointing Authority, or his designated representative supervisors within the appeal procedure, fail to comply with the time limitations, the employee may proceed immediately to the next step as if a decision had been reached with which he was not satisfied.
- 15.7 The singular employee shall also be interpreted to mean employees where such would be applicable.
- 15.8 Form and content of written appeal notification
15.8 (1) The appeal shall be written in a form specified or approved by the Commission.
15.8 (2) The appeal shall contain specific information as to time and place of the alleged complaint or grievance, notation of procedures followed and corrective action desired. The name of a third party, if any, selected by the employee to represent his interest shall be set forth. The third party may be an attorney, an organization, a fellow employee or other individual the employee may desire for representation.
15.8 (3) All germane information brought out in the hearings may be added to and shall become a part of the appeal.
- 15.9 The Hearing
15.9 (1) All hearings shall be held in an informal manner. Witnesses may be called by either party and questioned by both parties. Documents and written statements which are material shall be considered, but shall not be limited by rules of evidence.
15.9 (2) The presiding officer of the respective hearings shall be
Step 2 – The next higher authority.
Step 3 – The Appointing Authority or his delegated representative.
Step 4 – The Chairman of the Merit Employment Commission.
- 15.10 The aggrieved employee shall be notified far enough in advance of any hearing so that he can make arrangements to attend the hearing.
- 15.11 The aggrieved classified employee and all witnesses, who are classified state employees, shall be allowed time off with pay to attend the hearings. But witnesses shall not be cumulative and shall be controlled as to numbers so as not to affect the service of the agency. Statements of witnesses may be taken in lieu of appearance or stipulation made thereto.
- 15.12 No classified employee may be coerced by his supervisor or the Appointing Authority into not proceeding with a grievance or appearing as a witness at a hearing. Such action by the supervisor or the Appointing Authority shall be considered as a basis of appeal.
- 15.13 The third party, if a classified employee, shall be allowed time off, but without pay.

IOWA STATE HIGHWAY
COMMISSIONS' EQUAL
EMPLOYMENT ACTION
PLAN

AARON B. CARTER, JR.
EQUAL EMPLOYMENT
OPPORTUNITY OFFICER

HENRY L. BAGBY
EQUAL EMPLOYMENT
OPPORTUNITY SUPERVISOR
CONTRACTS DEPARTMENT
(SEE EXHIBIT B ATTACHMENT # 5)

THE HIGHWAY COMMISSION'S EQUAL EMPLOYMENT ACTION PLAN

What has made this country great? Not our incredibly high standard of living, nor even our particular form of democratic government. The benefits and blessings that flow to us as Americans are derived primarily from one source--the establishment of this Nation on the fundamental principle of the rule of law. It is with this basic belief that governs our conducts and on which we organize our lives. It provides us a system by which we can work out our problems in an orderly fashion.

Equal Opportunity

The assumption underlying Equal Opportunity is that had there been no discrimination against the Black and other racial and ethnic minorities over the years in education, health, housing and job opportunity, each business today would not be faced with the necessity of giving special attention to eliminating discrimination as a means of providing opportunity equal to that provided non-minorities. Our main target will be those with an obstreperious attitude to make an endeavor to redirect their way of thinking.

A full time employee has been hired in the Personnel Department for the expressed purpose of assisting our agency in the establishment and maintenance of an Equal Employment Opportunity Program with emphasis on recruitment of minority group persons. His EEO Action Plan entails outreach and surveillance activities; also programs to enhance the capabilities of qualifiable minorities.

Special efforts will be pursued in retaining minority group members, and assuring all that audit our EEO Program that our major effort is aimed at the improvement of their social-economic status rather than merely to reach a quota. Our total system will monitor records of referrals, placements, transfers, promotions and terminations at all levels to insure the non-discriminatory policy is carried out. Formalization of this program is designed to comply with the requirements and recommendation of:

- A. Executive order #11246-Equal Employment Opportunity (Federal)
- B. Executive order #9-Equal Employment Opportunity (State)
- C. The Iowa Civil Rights Act of 1965, as amended.
- D. Report of U.S. Commission on Civil Rights.
(see Exhibit B)

3. Maintaining personal contacts in the Community to determine sources of minority group employees:
 - (a) N.A.A.C.P.
 - (b) Urban Leagues
 - (c) Minority churches
 - (d) other community sources
4. A regular systematic contact with minority group leaders and spokesmen in the community using every imaginable method to excite and encourage referrals of qualified or qualifiable persons.
5. Job openings are frequently advertised in black and other minority newspapers, and the notation "An Equal Opportunity Employer" is always included in all recruitment advertising media.
6. Thoroughly and continually inform the sources of potential minority applicants about current openings, about the selection procedures of the Merit Employment System, and about the positions (together with personnel specifications) for which applications may be made. Aggressively seek qualified minority candidates in all phases of our organization.
7. The Highway Commission has been conducting direct and systematic recruitment of employees, whenever needed, through public and private referral sources likely to yield qualified minority group applicants. In order for the sources to be capable of referring qualified persons, we feel it is essential that consistent and specific notice be given in advance of a hiring period telling of the normal anticipated job openings, qualifications, hours and salary ranges. When vacancies occur (not including an advanced estimate) notice will be given to each of the referral sources about the specific requirements and duties of the jobs.

Listed on the following page are some of the schools, colleges and minority group organizations in the state, which will be of value in the recruitment of minority persons:

COUNCIL BLUFFS

Mr. W. Earl Dyer, Mgr.
Iowa State Employment Service
710 First Ave.
Phone: 322-4054

Council Bluffs Branch, NAACP
605 South 25th St. 51501

Herbert Becerra (LULAC)
2523 Fourth Ave., Phone: 322-5747

OMAHA

Opportunities Industrialization
Comm.
2802 North 24th 68111

Indian Affairs
724 North 22nd St. 68102

Operation Independence, Title V
4833 Dodge St. 68132

Human Relations Dept.
Interim City Hall
108 South 18th St. 68102

Omaha GI Forum
2114 Polk St. 68107

Greater Omaha Community Action, Inc.
1802 Dodge St. 68102

Betty Corbin
Urban League of Omaha
312 Karbach Bldg. - 209 So. 15th. 68102
Phone: 342-7646

DAVENPORT

Thomas M. Kelly, Jr.
Attorney at Law
200 Walgreen Bldg.

Rick Roberts, Director
East Side Neighborhood Center
706 East 10th

Bob Smith
c/o Catholic Charities
2706 Gaines

Bill Cribbs, Director
Human Relations Commission
525 Main St.
Phone: 326-7945

Ernest M. Rodriguez
915 East Sixth

Mr. Jon Hayes, Minority Specialist
State Employment Service
1129 Brady St.
Phone: 322-5901

Jesse Ramirez
LULAC Council #10
P. O. Box 242

G. I. Forum
Attn: Jesse Perez
116 Fifth Ave.
Moline, Illinois

Quad City Merit Employment
Council
John Deere Administrative Center
John Deere Road
Moline, Illinois
Phone: 792-4550

James Fulton
1719 Christie

Rev. William Frison
1132 Bridge
Phone: 323-7103

Davenport Branch, NAACP
511 West 11th 52002

FORT MADISON

Fort Madison Branch, NAACP
Fort Madison, 62627

MASON CITY

Willis M. Haddix
2904 North Carolina

Calvin G. Duncan
1428 North Adams

Lola Rhem, Outreach Worker
Community Action
621 So. Adams
Phone: 423-7766

MARSHALLTOWN

Mr. Harry Lake, Minority Specialist
Iowa State Employment Service
401 E. Main St., P.O. Box 593 50158

MUSCATINE

Julius Gonzalez
R.R. # 4

Sister Irene Munoz
507 Fairview

Mr. C. E. Rudolph, Mr.
Iowa State Employment Service
515 Cedar St., P. O. Box 805 52761

SIOUX CITY

James M. Rehal
Board of Directors of
Siouxland Opportunity Center
400 West Third

Rev. Ivan A. Johnson
513 Main

Jayne Yates, Director
Mary Treglia Community House
900 Jennings
Phone: 258-5137

MASON CITY

Dr. Jaime Duran, Director
Migrant Action Program
Box 717 50401

Mr. Richard Voellinger, Mgr.
Iowa State Employment Service
202 1st St. N.W., P.O. Box 1334 50401

Mason City - Manley Branch, NAACP
209 Seventh St. S.W. 50401

Marshalltown Branch, NAACP
P. O. Box 95 50158

Rev. Tom Buechele
417 Green St.

Muscatine Migrant Committee
218 West Second

Mr. Archie Arvin, Minority Specialist
Iowa State Employment Service
209 Douglas Ave. 51101
Phone: 258-0144

Sioux City American Indian Center
1114 W. Sixth
Phone: 255-8957

Siouxland Opportunity Center
400 W. Third
Contact: David Alberts
Phone: 277-3522

8. A system has been developed through which it is possible to verify the number of minority workers employed or promoted in reference to the number of openings.
9. Invitations have been extended to minority persons to visit our agency; explaining employment opportunities and our Equal Employment Opportunity program in effect.
10. There is an active solicitation of qualified referrals from minority employees.
11. It is essential to continually evaluate our hiring practices to assure us that all applicants are considered solely on the basis of their qualifications for job openings for which they have applied.

(see Exhibit G)

B. Selection, Placement and Promotion

1. Reinforcements will be implemented from time to time to assure the submittance of all monthly reports from Departments, Districts and Residencies and encourage them to state the reason for rejection and also the reason for those under consideration (example: No vacancies, found other employment, still in school, wants permanent work, wants temporary work, wants summer work, not qualified, etc.). This action will provide a definite plan to monitor and evaluate our placement and hiring authorities within our agency, and other actions include:
 - (a) Definite plans and measurable goals to fill vacancies and promote minority people within our organization at all levels.
 - (b) All tests will be validated within the framework of their intended purpose and clarified by submittance of a documentation and copy of the test to our EEO Office.
 - (c) Educational and experience pre-requisites for all applicants will be fair, equitable and realistic.
 - (d) Re-interviewing applicants periodically to be certain that race, religion, skin color, sex, or national origin were not perceived as a factor in the hiring authority's interview.

- (e) Encouragement to all employees to achieve their full potential regardless of race, creed or sex.
 - (f) Appeal procedures for informal complaints.
 - (g) A brief history of our organization.
 - (h) Important safety procedures.
 - (i) Our concern with not only productivity, but also in the new employee as an individual.
2. Action is now being developed to determine if the initial job in which a new employee is placed is influenced by whether or not he or she is a member of a minority group.

D. Affirmative Action

Statistics clearly show that the major representatives of the minorities are the Blacks, the Spanish Americans, the Orientals, and the American Indians, and it will be necessary to concentrate on areas of action which apply to these particular minority groups. Our affirmative action provides directions in the following areas:

1. Internal Communication

- (a) Equal Employment Opportunity policies have been published and disseminated in our organization emphasizing intent and design.
- (b) As the budget allows we will provide members of management and employees with more orientation lectures and training programs on Equal Employment Opportunity to insure continued familiarity with our policies and goals.
- (c) Published successful EEO projects through in-house communication medias.
- (d) Developed an effective system of control and feedback to insure application at all levels.
- (e) Interviewed minority employees periodically for their attitudes with respect to compliance and progress.
- (f) Assurance that facilities, including all work-related facilities, and those used in employer-sponsored recreational or similar activities, are subjected to segregated use, whether by official or by employer practice.

- F. Regularly interview minority employees upon termination to determine whether discriminatory acts played a role in the termination.
(see Exhibit G)

Esprit De Corps

A state of individual psychological well-being based on such factors as a sense of purpose and confidence in the future can be easily prescribed, by just giving a brief explanation to clarify the necessity of any given action. By doing this, it will improve the morale of the minority and all other employees, especially contenders and future contenders for a specified position.

- A. Assure all minorities the opportunity for counseling services regarding financial difficulties, advancement possibilities, and self development.
- B. A bonified Civil Rights program will have an advisory committee to delegate terms or recommendations that are in compliance with the Equal Opportunities Policies.
(see Exhibit A)

Conclusion

This report contains a summary of the Equal Employment Opportunity Action Plan for the Iowa State Highway Commission and is proposed for an indefinite period until such changes seem necessary. The Highway Commission's programs and goals have been defined and in some cases, begun. Special attention should be noted to the fact that Merit Philosophies and Affirmative Actions do somewhat conflict at times; also, the budget allotted for pre-service and in-service training programs must necessarily increase to reach desired results in this critical area. By next year at this time, it is expected that a substantial implementation of the programs will have been achieved. The responsibility for implementation of the Iowa State Highway Commission's EEO Action Plan lies with the Equal Employment Officer, the Personnel Department, and ultimately the Director of Personnel who reports our progress to the Director of Highways.

SPECIAL REPORTS

Summer Employment Program

Engineer Aid Recruitment

Higher Level Recruitment

Summer Employment Program

The following information relating to Summer Employment for both internal and external operations of the Iowa State Highway Commission will be partially in form of excerpts from memorandums of EEO activities, including dates, names and agencies involved. The enforcement and surveillance organizations of the state will have a copy of this EEO Action Plan; this particular report will enable them to better understand the variables that are prevalent in Summer Employment as well as permanent employment, such as:

- A. Relocation Factors in selection and placement.
 1. Preference for employment in home town community areas.
 2. The availability of jobs located in areas with sufficient minority population.
 3. Cost of housing and food expenses.
 4. The lack of social or recreational past-time.
- B. Availability to the job in some cases would mean to have transportation to the initial work station location; other problems are:
 1. A serviceable automobile to get to and from work.
 2. In some cases, commuting expenses.
- C. Job types that are offered do not necessarily have the most favorable conditions.
 1. The majority of the Commission employees work in field conditions--approximately 3,000 out of a total of 4,000--therefore, summer jobs would be no exception.
 2. In some of the Need Study positions, such as traveling traffic counting crews, would most likely be located next to a road site which would be asphalt or cement, and these types of pavements under the hot sun could produce extreme uncomfortable working conditions, some individuals do not prefer this type of sacrifice.

Memorandum dated October 27, 1970

Prepared and Sent Letters 10-23-70 to participants of a support and Assistance Program meeting which will be held 11-3-70, at 2:00 p.m., Iowa State Employment Services, 150 Des Moines Street, Des Moines, Ia.

Comments: Set up this meeting to create a more congenial impression and communication with key agencies, that might be of value to us for training and/or support services.

The speakers were scheduled from the following agencies:

Concentrated Employment Program
Apprenticeship Information Center
On the Job Training
Des Moines Area Outreach Program
National Alliance of Businessmen
Hawkeye Institute of Technology (Waterloo, Iowa)
State Board of Regents

The resource participants were from the following agencies:

Iowa State Employment Services
Department of Social Services
Offices of Economic Opportunity
Mission Center, Inc.

Several Iowa State Highway Commission personnel attended the meeting:

Resident Maintenance Engineers
Director of Manpower Services
Training Coordinator
Acting EEO Supervisor and Technician of the Contracts Department
A very informative meeting.

Our EEO offices--internal and external--were particularly interested in Mr. Roger Maxwell. Our primary interests were to coordinate a Summer Employment Program and to establish a better system as to controlling contractor's EEO activities.

Memorandum dated November 6, 1970

NAACP--Called upon for expressions at the State Conference. Spoke with Mr. Roy Wilkins and my good friend, Cecil Reed. Conversated with the State President, Regional Director and many of the Delegates. Expressed the Highway Commission's willingness to work with all chapters in the state.

Comments: Only one chapter to date has contacted me, and that was Marshalltown: Memo insert--main speaker for a NAACP meeting--Sunday 3-28-71. I feel that agencies such as the NAACP

Edna Griffin--2-19-71. Chamber of Commerce meeting 3:00 p.m.

Comments: The commitment of 50 summer job slots was directed to Urban Affairs and/or Des Moines.

Edna Griffin--3-5-71. Summer Employment. A meeting planned for the 8th, also a meeting with Charles Crook (Iowa State Employment Security Commission-Minority Specialist Director).

Comments: Chuck and I discussed how the minority specialist in the state of Iowa could support our EEO program.

Memorandum dated March 18, 1971

Edna Griffin--3-8-71. Discussed Summer Employment. Gave her pertinent information concerning job types and salaries. Committed 50 job slots to the Urban Affairs Department in Des Moines.

Comments: Openly committed to all that were present our willingness to do our share as to providing work for High School graduates or college students. Also mentioned our Engineer Aid I Program--High School graduates or G.E.D. Certificate holders.

Memorandum dated April 9

Roger Maxwell--State Board of Regents--4-6-71. Stated procedures for Summer Employment. 4-7-71--Discussion: Establish a system to coordinate a uniform recruiting program between all educational insitutions. Special regards to a joint effort for an all out recruiting program to increase minority students and minority faculty and etc. The major problem is affirmative action vs. Merit Employment. Each representative took several M-1 forms to distribute in their universities. Completed applications will be sent to me. Expressed the deadline which was much to their dismay. I have an invitation to ISU, UNI, and U of I, May 1, 3, and 4, respectively.

Comments: Roger and I did get together on the phone several times--attempting to establish a plan of action before 4-6 and 4-7 meetings.

Memorandum dated May 10, 1971

Edna Griffin--Director of Urban Affairs--4-27-71. Returned about five summer applications due to receiving them well past the deadline. Edna has done a wonderful job helping us in our summer employment program. I will send her a letter of commendation.

Comments: Again I say--Edna does not believe in "lip service"; but she does believe in "action speaks louder than words!".

Engineer Aid Recruitment - See memo excerpts

The Commission has made a commitment toward Equal Opportunity in Equal Employment and fair Practices for all active and prospective Highway Commission employees regardless of race, creed, religion, age, or sex.

Personal visits have been made throughout the State, with:

- A. State Employment Agencies
 - 1. A few private agencies were visited also.
- B. Counselors and minority group students in schools with a significant minority group enrollment.
 - 1. Visited other schools of interest, too.
- C. Minority group adults who serve in many capacities, trying to denote who would be good contacts for each area.
- D. Minority churches
 - 1. Several Sunday mornings were used to spread the word concerning the ISHC.
 - 2. Special meeting dates were set up by some of the ministers of large congregations in order to reach a majority of the young people.

Primarily these visits were made to gain a further understanding as to the scope of the problem regarding employment in each area stressing concentration on Recruitment for the EA-1 program.

In last year's program, several of the minorities who had been selected did not report to class in two of our schools located at Waterloo and Cedar Rapids. The assignment was to locate these persons and determine whether or not they were still interested in participating in the program, and if so, making whatever arrangements necessary to facilitate their entry into the program even though they would be missing a few days of class. Efforts in this regard were so successful to the point that new contacts were made with more interested minority group persons other than the number considered initially--these persons were accepted into the program; some of whom did not meet the established criterias.

A very aggressive approach was launched in this year's recruitment of applicants for our Engineer Aid I Training Program. Contacts appeared to favor a receptive attitude toward our agency in comparison with the negativistic attitude of last year's recruiting efforts, but there is still a lot to be desired.

(See Exhibit H-Attachment # 2)

Resident Maintenance Engineer
Director of Manpower Services
Training Coordinator
Acting EEO Supervisor and Technician of the Contracts Department

A very informative meeting.

Our EEO offices--internal and external--were particularly interested in Mr. Roger Maxwell. Our primary interests were to coordinate a Summer Program and to establish a better system as to controlling contractor's EEO Activities, and there were others who would provide Applicants for our Engineer Aid Training Program. The Apprentice Information Center and the Des Moines Area Outreach Program lead in our recruitment efforts in Des Moines.

Memorandum dated November 6, 1970

Tom Sally - Discussed possibilities of developing educational programs for Engineer-Tech hopefuls--with a no-pass, no-fee provision. Part of the fee could be provided through our Educational Assistance Plan, the rest could be carried by the Trainee.

Comments: Tom and I have discussed in depth the possibility of future training expansion in the form of Educational Assistance to include all employees with emphasis on the minority and disadvantaged individuals regardless of academic level or future aspirations desired. Henry Bagby and I recently explored the possibilities of picking up at least one half of the fee necessary to pay for job related courses for disadvantaged members. About two months ago an article in the Des Moines newspaper stated that the Department of Public Instruction was receiving funds appropriated for the disadvantaged.

Set up a meeting with Public Instructions Officials--6-11-71. A very fruitful meeting! We will be able to achieve this goal--appropriation is not for Baccalaureate intentions.

Eugene Crawford - Director ICIA - 1802 Dodge Street, Omaha, Nebraska, (Am. Indian Center). Visited the Administration Office and one of five Neighborhood Centers--2224 Leavenworth Street.

Comments: So far we haven't benefited from my two visits, but I have plans to team up with a particular minority contact; I feel we will make some progress in the future. Main purpose of visit was Engineer Aid Recruitment.

Aid II in Ames. According to his present background, he does not meet the qualifications. Visited with contact for Davenport too.

Comments: Alvin is an EA-1 who went through the program last year. Visited Rev. William Frison who was very instrumental in our 1971 EA-1 Recruitment in the Davenport area.

Memorandum dated January 13, 1971

Silas Ewing - Professional Personnel Consultant-called Silas to inform him of the Management Analyst I position.

Comments: Silas is a very good minority contact for Des Moines (The #1 Labor Market). He hopes to someday be able to contract with State Government. Silas is interested in the minorities of his community, and he also attended the Assistance and Support Program which was held in Des Moines.

Memorandum dated February 8, 1971

Alan Abbott - Met with Al to discuss and help design a poster that would be attractive to minority groups and disadvantaged persons. Display of poster will be in schools, churches, community centers, local government agencies, some minority community business establishments, employment services, barber shops and etc.

Comments: We felt that this method of advertisement would attract minorities to our agency as well as our fast approaching Engineer Aid School.

Frank Dixon - Called Frank to inform him of the Engineer Aid Program-couldn't give him any specifics or other particulars.

Comments: Frank is one of our top minority contacts in Waterloo. Anna Marie Weems is the other contact.

Memorandum dated March 8, 1971

Vernon Hill--2-17-71, Willkie House, 7:30 p.m. Establishing a minority employment coalition, later to spread a network throughout the state.

Comments: My interest: Summer Employment and Engineer Aid Training Program. Through this effort others seem to have gotten inspiration to start similar groups.

Charles Crook --3-8-71. (Iowa State Employment Security Commission, Minority Specialist Director.) Expressed difficulties in procuring Racial Status on Form 568. He promised to take care of the problem.

Comments: The ISESC employees are very cautious as to being charged with discrimination, reversed or otherwise!

Charles Couch--3-9-71. ISESC Des Moines Assistant Local Manager. Stated the troubles I was having with his testing section. He checked on the procedures during my visit and promised to eliminate future situations.

Comments: The testing technician Manager seems to feel that the Highway Commission might get charged with a "reversed discrimination" if I didn't stop checking the schedule to see which minorities showed up for testing. I told him to start the proceedings any time he wished. No one, including news reporters, would believe that type of charge anyway!

William B. Hood--New Director of Jane Boyd Center in Cedar Rapids. Promised to support us in the Engineering Aid Program and future job opportunities. Had a lengthy talk with one of his associates who is affiliated with the local school board office.

Marshalltown--3-28-71. Main speaker for a NAACP meeting.

Comments: Stated the desire for all NAACP chapters to get more involved in employment programs.

Marshalltown and Waterloo--Engineer Aid Recruitment--3-24-71. Set up meeting with Clare Schroeder and Charles Myles. Charles was very bitter because he had given up a good paying job (he would now be making \$4.33 per hour) to work for the Highway Commission. Clare felt that he could carry on by giving Charles light duty until June, if necessary. Frank Dixon, Hawkeye Institute and Cynthia Hutchins, Employment Security Commission (she is now with the Human Rights Commission). Set in on meeting and each pledged to support Charles.

Comments: Charles is one of the best employees in the Waterloo Residence. He is a 1970 EA-1 trainee. Charles has an anemia condition, but through efforts of our EEO section, he will be retained.

Des Moines--3-29-71 to 4-2-71. Engineer Aid Recruitment. It was necessary on several occasions to transport applicants to the Employment Services to fill out applications or to take the test.

I questioned the reasons for the time off. I was trying to distinguish between the treatments for his past injury and his sick leave. Dick stated that they were very lenient on all check-ups due to his past injury and usually did not compute this against his sick leave. Discussed other alternatives. Talked Roy into setting up a meeting with Dick--11:30 a.m., 4-27-71, and he was to contact me at 2:00 p.m. on the same day to inform me of the outcome. 4-29-71. I sent Roy a letter expressing my disappointment and also I wrote a letter of resignation in which he would only have to sign his name and drop in the mail box. Copies of letters are attached to this report.

Harold Dowden and David Ellis-RCE--4-29-71. Discussed the rating as of April 25th covering periods from January 1st which states that there is an improvement over Jones' rating of last fall, but still there is a lot to be desired. "Please converse with him," which I did.

Raymond Jones--4-29-71. Discussed the importance of exercising initiative, defined same (a lot of minorities are not accustomed to such terminology). He assured me that he would show a vast improvement.

Comments: This shows you the problems we face in retaining certain minority (EA-1) group members.

Iowa City--4-26-71.

State Board of Regents--very informative meeting. Some of the major topics discussed were: Motivation--beginning at 9th grade level toward college education; Indepth compliance; changing the Climate; Supportive Services; Systematic Patterns; Prognosis; Identification: Extra-university, Intra-university; training: Audit, measure, monitor; Executive Orders: Special Support Concept; Systematic discrimination; Affirmative Action: State Policies, goals, accountability, measurement of results.

Comments: The ISHC plans to get more involved in certain areas of above mentioned.

Higher Level Recruitment

To create within a minority individual that an entry level program is relative and that he has an opportunity to reach his full aspirations, it will be necessary to provide at least in a medium key position, some type of identification, namely another minority, and this is precisely what we will attempt to do.

Reference to memo excerpts of an EEO Progress Report--March, 1970

On March 9, 1970, our Manpower Director interviewed on the campus of Howard University in Washington, D.C. This institution was recommended to our agency by the Bureau of Public Roads as a school with significant enrollment of minority group engineering students. Although he did not interview any graduating seniors, he did spend a considerable length of time with one of the faculty. From this interview, our Manpower Director and the instructor concluded that the Highway Commission and the State of Iowa could not offer the salaries nor the types of communities (large metropolitan areas) which would be of interest to Howard University students. This particular professor suggested that Prairie View A & M, located in Texas, might be a much better recruiting source for our agency since the students at that institution would probably have a greater interest in living and working in the state of Iowa. Prairie View is on our Higher Level Recruiting schedule at a tentative date.

Other schools and sources will be added to our schedule, but in the interim until necessary budget is allotted, we will continue to use every available resource within the state, and in the future, the Equal Employment Officer will recruit in universities and colleges with significant minority enrollment.

EXHIBIT A

E E O ACTION PLAN

Notation: AN EQUAL OPPORTUNITY EMPLOYER

ACTION PLAN - PLATFORM STRUCTURE

Notation: "An Equal Opportunity Employer," posters, pamphlets, newspapers, periodicals, with-in job posting form.

Placement: Present interview forms and procedures, plus
(Outreach) implementations, direct referrals.

Follow-up: New Employees' evaluation - of his working condition,
(Outreach, his employer, fellow workers, questionnaire forms
Surveillance, to be confidentially sent to minorities address,
Counseling) also personal visits by EEO officer, to provide better
communications.

Referral: Minority community, employment offices, schools.
(Surveillance) This action simulated by EEO Officer.

Transfer: If qualified, allow without regards to Race, Sex,
(Surveillance) Creed, or National Orgin. Establish an education
or up-grading program.

Promotion: Check seniority, work records, adopt programs to
(Surveillance) up-grade.

Termination: Demotions, suspensions - EEO Representative set in
(Surveillance) on final notice or action that is being taken.

Orientation: Introduction, welcome. Show interest in more than
productivity - interest in new individual, too.

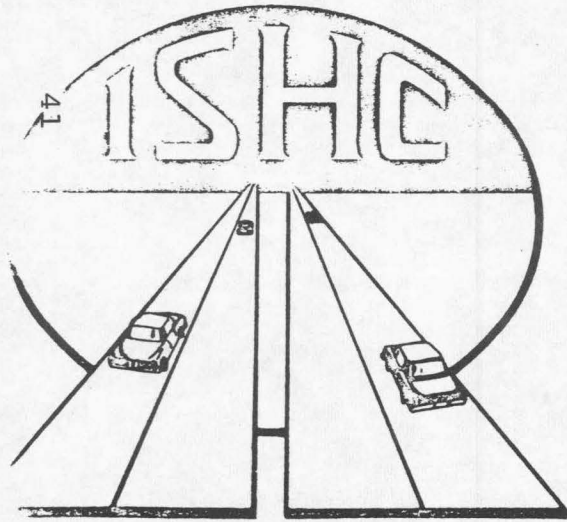
Residency Recruitment Program

Recruitment Program

Higher Level Recruitment

THE ROAD AHEAD...

A CAREER WITH THE IOWA STATE HIGHWAY COMMISSION



OPPORTUNITIES IN

- Engineering • Data Processing • Planning
- Clerical Work • Design • Right Of Way
- Surveying • Construction • Maintenance
- Inspection • Drafting • And Many Others

AN EQUAL OPPORTUNITY EMPLOYER

EXHIBIT B

Executive Order No. 11246

U.S. Department of Labor
Part 60-2--Affirmative Action Programs

State of Iowa Executive Order No. 9

The Iowa Civil Rights Act of 1965, as amended

For all the People....By all the People

EEO Section Contracts Department

Executive Order No. 11246

Executive Order 11246. September 24, 1965

EQUAL EMPLOYMENT OPPORTUNITY

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

PART I—NONDISCRIMINATION IN GOVERNMENT
EMPLOYMENT

SECTION 101. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all qualified persons, to prohibit discrimination in employment because of race, creed, color, or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency. The policy of equal opportunity applies to every aspect of Federal employment policy and practice.

SEC. 102. The head of each executive department and agency shall establish and maintain a positive program of equal employment opportunity for all civilian employees and applicants for employment within his jurisdiction in accordance with the policy set forth in Section 101.

SEC. 103. The Civil Service Commission shall supervise and provide leadership and guidance in the conduct of equal employment opportunity programs for the civilian employees of and applications for employment within the executive departments and agencies and shall review agency program accomplishments periodically. In order to facilitate the achievement of a model program for equal employment opportunity in the Federal service, the Commission may consult from time to time with such individuals, groups, or organizations as may be of assistance in improving the Federal program and realizing the objectives of this Part.

SEC. 104. The Civil Service Commission shall provide for the prompt, fair, and impartial consideration of all complaints of discrimination in Federal employment on the basis of race, creed, color, or national origin. Procedures for the consideration of complaints shall include at least one impartial review within the executive department or agency and shall provide for appeal to the Civil Service Commission.

SEC. 105. The Civil Service Commission shall issue such regulations, orders, and instructions as it deems necessary and appropriate to carry out its responsibilities under this Part, and the head of each executive department and agency shall comply with the regulations, orders, and instructions issued by the Commission under this Part.

PART II—NONDISCRIMINATION IN EMPLOYMENT BY GOVERNMENT CONTRACTORS AND SUBCONTRACTORS

Subpart A—Duties of the Secretary of Labor

SEC. 201. The Secretary of Labor shall be responsible for the administration of Parts II and III of this Order

and shall adopt such rules and regulations and issue such orders as he deems necessary and appropriate to achieve the purposes thereof.

Subpart B—Contractors' Agreements

SEC. 202. Except in contracts exempted in accordance with Section 204 of this Order, all Government contracting agencies shall include in every Government contract hereafter entered into the following provisions:

"During the performance of this contract, the contractor agrees as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

"(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(4) The contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

"(5) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part

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tary of Labor and the investigating agency shall report to the Secretary of Labor any action taken or recommended.

(b) The Secretary of Labor may receive and investigate or cause to be investigated complaints by employees or prospective employees of a Government contractor or subcontractor which allege discrimination contrary to the contractual provisions specified in Section 202 of this Order. If this investigation is conducted for the Secretary of Labor by a contracting agency, that agency shall report to the Secretary what action has been taken or is recommended with regard to such complaints.

SEC. 207. The Secretary of Labor shall use his best efforts, directly and through contracting agencies, other interested Federal, State, and local agencies, contractors, and all other available instrumentalities to cause any labor union engaged in work under Government contracts or any agency referring workers or providing or supervising apprenticeship or training for or in the course of such work to cooperate in the implementation of the purposes of this Order. The Secretary of Labor shall, in appropriate cases, notify the Equal Employment Opportunity Commission, the Department of Justice, or other appropriate Federal agencies whenever it has reason to believe that the practices of any such labor organization or agency violate Title VI or Title VII of the Civil Rights Act of 1964 or other provision of Federal law.

SEC. 208. (a) The Secretary of Labor, or any agency, officer, or employee in the executive branch of the Government designated by rule, regulation, or order of the Secretary, may hold such hearings, public or private, as the Secretary may deem advisable for compliance, enforcement, or educational purposes.

(b) The Secretary of Labor may hold, or cause to be held, hearings in accordance with Subsection (a) of this Section prior to imposing, ordering, or recommending the imposition of penalties and sanctions under this Order. No order for debarment of any contractor from further Government contracts under Section 209(a)(6) shall be made without affording the contractor an opportunity for a hearing.

Subpart D—Sanctions and Penalties

SEC. 209. (a) In accordance with such rules, regulations, or orders as the Secretary of Labor may issue or adopt, the Secretary or the appropriate contracting agency may:

(1) Publish, or cause to be published, the names of contractors or unions which it has concluded have complied or have failed to comply with the provisions of this Order or of the rules, regulations, and orders of the Secretary of Labor.

(2) Recommend to the Department of Justice that, in cases in which there is substantial or material violation or the threat of substantial or material violation of the contractual provisions set forth in Section 202 of this Order, appropriate proceedings be brought to enforce those provisions, including the enjoining, within the limitations of applicable law, of organizations, individuals, or groups who prevent directly or indirectly, or seek to prevent directly or indirectly, compliance with the provisions of this Order.

(3) 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.

(4) Recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to any contracting agency or to the Secretary of Labor as the case may be.

(5) Cancel, terminate, suspend, or cause to be cancelled, terminated, or suspended, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Contracts may be cancelled, terminated, or suspended absolutely or continuance of contracts may be conditioned upon a program for future compliance approved by the contracting agency.

(6) Provide that any contracting agency shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor, until such contractor has satisfied the Secretary of Labor that such contractor has established and will carry out personnel and employment policies in compliance with the provisions of this Order.

(b) Under rules and regulations prescribed by the Secretary of Labor, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions of this Order by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under Subsection (a)(2) of this Section, or before a contract shall be cancelled or terminated in whole or in part under Subsection (a)(5) of this Section for failure of a contractor or subcontractor to comply with the contract provisions of this Order.

SEC. 210. Any contracting agency taking any action authorized by this Subpart, whether on its own motion, or as directed by the Secretary of Labor, or under the rules and regulations of the Secretary, shall promptly notify the Secretary of such action. Whenever the Secretary of Labor makes a determination under this Section, he shall promptly notify the appropriate contracting agency of the action recommended. The agency shall take such action and shall report the results thereof to the Secretary of Labor within such time as the Secretary shall specify.

SEC. 211. If the Secretary shall so direct, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this Order or submits a program for compliance acceptable to the Secretary of Labor or, if the Secretary so authorizes, to the contracting agency.

SEC. 212. Whenever a contracting agency cancels or terminates a contract, or whenever a contractor has been debarred from further Government contracts, under Section 209(a)(6) because of noncompliance with the contract provisions with regard to nondiscrimination, the Secretary of Labor, or the contracting agency involved, shall promptly notify the Comptroller General of the United States. Any such debarment may be rescinded by the Secretary of Labor or by the contracting agency which imposed the sanction.

Subpart E—Certificates of Merit

SEC. 213. The Secretary of Labor may provide for issuance of a United States Government Certificate of Merit to employers or labor unions, or other agencies which are or

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SEC. 402. The Secretary of Labor shall provide administrative support for the execution of the program known as the "Plans for Progress."

SEC. 403. (a) Executive Orders Nos. 10590 (January 18, 1955), 10722 (August 5, 1957), 10925 (March 6, 1961), 11114 (June 22, 1963), and 11162 (July 28, 1964), are hereby superseded and the President's Committee on Equal Employment Opportunity established by Executive Order No. 10925 is hereby abolished. All records and property in the custody of the Committee shall be transferred to the Civil Service Commission and the Secretary of Labor, as appropriate.

(b) Nothing in this Order shall be deemed to relieve any person of any obligation assumed or imposed under or pursuant to any Executive Order superseded by this Order. All rules, regulations, orders, instructions, designations, and other directives issued by the President's Committee on Equal Employment Opportunity and those issued by the heads of various departments or agencies under or pursuant to any

of the Executive orders superseded by this Order, shall, to the extent that they are not inconsistent with this Order, remain in full force and effect unless and until revoked or superseded by appropriate authority. References in such directives to provisions of the superseded orders shall be deemed to be references to the comparable provisions of this Order.

SEC. 404. The General Services Administration shall take appropriate action to revise the standard Government contract forms to accord with the provisions of this Order and of the rules and regulations of the Secretary of Labor.

SEC. 405. This Order shall become effective thirty days after the date of this Order.

LYNDON B. JOHNSON

THE WHITE HOUSE
September 24, 1965

[Filed with the Office of the Federal Register, 4:18 p.m., September 24, 1965]

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3-1-66

U.S. DEPARTMENT OF LABOR
OFFICE OF FEDERAL CONTRACT COMPLIANCE
WASHINGTON, D.C. 20210

CHAPTER 60 -- Office of Federal Contract Compliance,
Equal Employment Opportunity, Department of Labor

(Reprint from Federal Register, Vol. 35, No. 25 -- Thursday, February 5, 1970)

George P. Shultz, Secretary

John L. Wilks, Director

Chapter 60—Office of Federal Contract Compliance, Equal Employment Opportunity, Department of Labor

PART 60-2—AFFIRMATIVE ACTION PROGRAMS

Pursuant to Executive Order 11246, sections 201, 205, 211 (30 F.R. 12319), and 41 CFR 60-1.6, 60-1.28, 60-1.29, 60-1.40, Title 41 of the Code of Federal Regulations is hereby amended by adding a new Part 60-2 to read as set forth below.

Subpart A—General

Sec.

- 60-2.1 Title, purpose and scope.
- 60-2.2 Agency action.

Subpart B—Required Contents of Affirmative Action Programs

- 60-2.10 Purpose of affirmative action program.
- 60-2.11 Required utilization analysis and goals.
- 60-2.12 Additional required ingredients of affirmative action programs.
- 60-2.13 Compliance status.

Subpart C—Suggested Methods of Implementing the Requirements of Subpart B

- 60-2.20 Development or reaffirmation of the equal employment opportunity policy.

Sec.

- 60-2.21 Dissemination of the policy.
- 60-2.22 Responsibility for implementation.
- 60-2.23 Identification of problem areas by organization unit and job categories.
- 60-2.24 Establishment of goals and timetables.
- 60-2.25 Development and execution of programs.
- 60-2.26 Internal audit and reporting systems.
- 60-2.27 Support of action programs.

Subpart D—Miscellaneous

- 60-2.30 Use of goals.
- 60-2.31 Supersedeure.

AUTHORITY: The provisions of this Part 60-2 issued pursuant to sec. 201, E.O. 11246 (30 F.R. 12319).

Subpart A—General

§ 60-2.1 Title, purpose and scope.

This part shall also be known as "Order No. 4," and shall cover nonconstruction contractors. Section 60-1.40 of this chapter, Affirmative Action Compliance Programs, requires that within 120 days from the commencement of a contract each prime contractor or subcontractor with 50 or more employees and a contract of \$50,000 or more develop a written affirmative action compliance program for each of its establishments. A review of agency compliance surveys indicates that many contractors do not have affirmative action programs on file at the time an establishment is visited by a compliance investigator. This part details the agency review procedure and

the results of a contractor's failure to develop and maintain an affirmative action program and then sets forth detailed guidelines to be used by contractors and Government agencies in developing and judging these programs as well as the good faith effort required to transform the programs from paper commitments to equal employment opportunity.

§ 60-2.2 Agency action.

(a) Any contractor required by § 60-1.40 to develop an affirmative action program at each of his establishments who has not complied fully with that section is not in compliance with Executive Order 11246 (30 F.R. 12319). Until such programs are developed and found to be acceptable in accordance with the standards and guidelines set forth in §§ 60-2.10 through 60-2.31, the contractor is unable to comply with the equal employment opportunity clause.

(b) If, in determining such contractor's responsibility for an award of a contract it comes to the contracting officer's attention, through sources within his agency or through the Office of Federal Contract Compliance or other Government agencies, that the contractor has not developed an acceptable affirmative action program at each of his establishments, the contracting officer shall declare the contractor-bidder nonresponsible unless he can otherwise affirmatively determine that the contractor is able to comply with his equal employment obligations: *Provided*, That during the preaward conferences provided for in § 60-1.6(d)(3), every effort shall be made through the processes of conciliation, mediation and persuasion to develop an acceptable affirmative action program meeting the standards and guidelines set forth in §§ 60-2.10 through 60-2.31 so that, in the performance of his contract, the contractor is able to meet his equal employment obligations in accordance with the equal opportunity clause and applicable rules, regulations and orders: *Provided further*, That when the contractor-bidder is declared nonresponsible more than once for inability to comply with the equal employment opportunity clause a notice setting a timely hearing date shall be issued concurrently with the second nonresponsibility determination in accordance with the provisions of § 60-1.26 proposing to declare such contractor-bidder ineligible for future contracts and subcontracts.

(c) Immediately upon finding that a contractor has no affirmative action program or that his program is not acceptable the contracting officer shall notify officials of the appropriate compliance agency and the Office of Federal Contract Compliance of such fact. The compliance agency shall issue a notice to the contractor giving him 30 days to show cause why enforcement proceedings under section 200(b) of Executive Order

11246, as amended, should not be instituted.

(1) If the contractor fails to show good cause for his failure or fails to remedy that failure by developing and implementing an acceptable affirmative action program within 30 days, the compliance agency, upon the approval of the Director, shall issue a notice of proposed cancellation or termination of existing contracts or subcontracts and debarment from future contracts and subcontracts pursuant to § 60-1.26(b), giving the contractor 10 days to request a hearing. If a request for hearing has not been received within 10 days from such notice, such contractor will be declared ineligible for future contracts and current contracts will be terminated for default.

(2) During the "show cause" period of 30 days every effort shall be made by the compliance agency through conciliation, mediation and persuasion to resolve the deficiencies which led to the determination of noncompliance or nonresponsibility. If satisfactory adjustments designed to bring the contractor into compliance are not concluded, the compliance agency, with the prior approval of the Director, shall promptly commence formal proceedings leading to the cancellation or termination of existing contracts or subcontracts and debarment from future contracts and subcontracts under § 60-1.26(b).

(d) During the "show cause" period and formal proceedings, each contracting agency must continue to determine the contractor's responsibility in considering whether or not to award a new or additional contract.

Subpart B—Required Contents of Affirmative Action Programs

§ 60-2.10 Purpose of affirmative action program.

An affirmative action program is a set of specific and result-oriented procedures to which a contractor commits himself to apply every good faith effort. The objective of those procedures plus such efforts is equal employment opportunity. Procedures without effort to make them work are meaningless; and effort, undirected by specific and meaningful procedures, is inadequate. An acceptable affirmative action program must include an analysis of areas within which the contractor is deficient in the utilization of minority groups and, further, goals and timetables to which the contractor's good faith efforts must be directed to correct the deficiencies and, thus to increase materially the utilization of minorities at all levels and in all segments of his work force where deficiencies exist.

dors and suppliers requesting appropriate action on their part.

§ 60-2.22 Responsibility for implementation.

(a) An executive of the contractor should be appointed as director or manager of company Equal Opportunity Programs. Depending upon the size and geographical alignment of the company, this may be his sole responsibility. He should be given the necessary top management support and staffing to execute his assignment. His responsibilities should include, but not necessarily be limited to

(1) Developing policy statements, affirmative action programs, internal and external communication techniques.

(2) Assisting in the identification of problem areas.

(3) Assisting line management in arriving at solutions to problems.

(4) Designing and implementing audit and reporting systems that will:

(i) Measure effectiveness of the contractor's program.

(ii) Indicate need for remedial action.

(iii) Determine the degree to which the contractor's goals and objectives have been attained.

(5) Serve as liaison between the contractor and enforcement agencies, minority organizations, and community action groups.

(6) Keep management informed of latest developments in the entire equal opportunity area.

(b) Line responsibilities should include, but not be limited to, the following:

(1) Assistance in the identification of problem areas and establishment of local and unit goals and objectives.

(2) Active involvement with local minority organizations and community action groups.

(3) Periodic audit of hiring and promotion patterns to remove impediments to the attainment of goals and objectives.

(4) Regular discussions with local managers, supervisors and employees to be certain the contractor's policies are being followed.

(5) Review of the qualifications of all employees to insure minorities are given full opportunities for transfers and promotions.

(6) Career counseling for all employees.

(7) Periodic audit to insure that each location is in compliance in areas such as:

(i) Posters are properly displayed.

(ii) All facilities including company housing, are fact desegregated, both in policy and in use.

(iii) Minority employees are afforded a full opportunity and are encouraged to participate in all company sponsored educational, training, recreational and social activities.

(8) Supervision should be made to understand that their work performance is being evaluated on the basis of their equal employment opportunity efforts and results, as well as other criteria.

§ 60-2.23 Identification of problem areas by organizational unit and job categories.

(a) An in-depth analysis of the following should be made, paying particular

attention to apprentices and those categories listed in § 60-2.11(d):

(1) Racial composition of the work force.

(2) Racial composition of applicant flow.

(3) The total selection process including position descriptions, man specifications, application forms, interview procedures, test administration, test validity, referral procedures, final selection process, and similar factors.

(4) Transfer and promotion practices.

(5) Facilities, company sponsored recreation and social events, and special programs such as educational assistance.

(6) Seniority practices and seniority provisions of union contracts.

(7) Apprenticeship programs.

(8) All company training programs, formal and informal.

(9) Work force attitude.

(10) Technical phases of compliance, such as poster and notification to labor unions, retention of applications, notification to subcontractors, etc.

(b) If any of the following items are found in the analysis, special corrective action should be appropriate.

(1) An "underutilization" of minorities in specific work classifications.

(2) Lateral and/or vertical movement of minority employees occurring at a lesser rate (compared to work force mix) than that of nonminority employees.

(3) The selection process eliminates a higher percentage of minorities than nonminorities.

(4) Application and related preemployment forms not in compliance with local, State, or Federal legislation.

(5) Position descriptions inaccurate in relation to actual functions and duties.

(6) Man specifications not validated in relation to position requirements and job performance.

(7) Test forms not validated by location, work performance and inclusion of minorities in sample.

(8) Referral ratio of minorities to the hiring supervisor or manager indicates an abnormal percentage are being rejected as compared to nonminority applicants.

(9) Minorities are excluded from or are not participating in company sponsored activities or programs.

(10) De facto segregation still exists at some facilities.

(11) Seniority provisions contribute to overt or inadvertent discrimination, i.e., a racial disparity exists between length of service and types of jobs held.

(12) Nonsupport of company policy by managers, supervisors, or employees.

(13) Minorities underutilized or underrepresented in apprenticeship programs or other training or career improvement programs.

(14) No formal techniques established for evaluating effectiveness of EEO programs.

(15) Lack of access to suitable housing inhibits employment of qualified minorities for professional and management positions.

(16) Lack of suitable transportation (public or private) to the workplace inhibits minority employment.

(17) Labor unions and subcontractors not notified of their responsibilities.

(18) Purchase orders do not contain EEO clause.

(19) Posters not on display.

§ 60-2.24 Establishment of goals and timetables.

(a) The goals and timetables developed by the contractor should be attainable in terms of the contractor's analysis of his deficiencies and his entire affirmative action program. Thus, in establishing the size of his goals and the length of his timetables, the contractor should consider the results which could reasonably be expected from his putting forth every good faith effort to make his overall affirmative action program work. In determining levels of goals, the contractor should consider at least the factors listed in § 60-2.11(a).

(b) Involve personnel relations staff, department and division heads, and local and unit managers in the goal setting process.

(c) Goals should be significant, measurable and attainable.

(d) Goals should be specific for planned results, with timetables for completion.

(e) Goals may not be rigid and inflexible quotas which must be met, but must be targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire affirmative action program work.

§ 60-2.25 Development and execution of programs.

(a) The contractor should conduct detailed analyses of position descriptions to insure that they accurately reflect position functions, and are consistent for the same position from one location to another.

(b) The contractor should validate man specifications by division, department, location, or other organizational unit and by job category using job performance criteria. Special attention should be given to academic, experience and skill requirements to insure that the requirements in themselves do not constitute inadvertent discrimination. Specifications should be consistent for the same job classification in all locations and should be free from bias as regards to race, color, religion, sex, or national origin, except where sex is a bona fide occupational qualification. Where requirements screen out a disproportionate number of minorities, such requirements should be professionally validated to job performance.

(c) Approved position descriptions and man specifications, when used by the contractor, should be made available to all members of management involved in the recruiting, screening, selection and promotion process. Copies should also be distributed to all recruiting sources.

(d) The contractor should evaluate the total selection process to insure freedom from bias and, thus, aid the attainment of goals and objectives.

(1) All personnel involved in the recruiting, screening, selection, promotion, disciplinary, and related processes should be carefully selected and trained to insure elimination of bias in all personnel actions.

(2) The contractor should validate all selection criteria (Note Department of Labor Order of Sept. 9, 1988) (33 F.R. 44392, Sept. 24, 1968) covering the validation of Employment Tests and Other Selection Techniques by Contractors and Subcontractors Subject to the Provisions of Executive Order 11246.



EXECUTIVE ORDER NUMBER NINE

Preamble

The Constitutions of the United States of America and of the State of Iowa call for political liberty and equality and afford the equal protection of the laws for all persons. Racial, religious, and ethnic discriminatory practices betray the vision of the founding fathers and threaten the orderly procedures of democratic government.

The General Assembly of the State of Iowa has enacted a Civil Rights Law and has passed resolutions condemning discriminatory practices. The clear intent of these laws and resolutions is the assurance that the rights to equal treatment of the people of Iowa shall not be abridged.

Fair and equal treatment of all persons, guaranteed by the Constitution, affirmed by the General Assembly, promoted by the Executive, is the public policy of the State of Iowa.

In recognition of the obligation of the State and to the limit of the authority vested in me by the Constitution and Laws of Iowa, I hereby proclaim the following CODE OF FAIR PRACTICES to be the official policy of the Executive Branch of the State of Iowa.

Article I STATEMENT OF POLICY

The State of Iowa has a special obligation to have its operations serve as a model for business, industry, labor, and education. No state official who is responsible to the Governor shall, therefore, in policy or in practice, discriminate on the basis of race, color, religion, national origin, or ancestry.

Article II APPOINTMENT, ASSIGNMENT, AND ADVANCEMENT OF
EXECUTIVE PERSONNEL

State officials who are responsible to the Governor shall appoint, assign, and advance employees solely on the basis of merit and fitness. Each state agency responsible to the Governor shall promulgate a clear and unambiguous written policy of nondiscrimination in employment. Each such agency shall regularly review its personnel practices and procedures with a view to correcting any which may contribute to discrimination in appointment, assignment, or advancement. Each such agency shall conduct programs of job orientation and training and place emphasis upon fair practices in employment. Each such agency shall also bar from all employment application forms any inquiry expressing any limitation or specification as to race, color, creed, religion or national origin, unless it relates to a bona fide occupational qualification.

Article VIII STATE CONTRACTS AND SUBCONTRACTS

To insure compliance with the provisions of the Iowa Civil Rights Act of 1965, every state official who is responsible to the Governor and who is authorized to make contracts or subcontracts for public works or for goods or services shall cause to be inserted into every such contract or subcontract a clause in which the contractor or subcontractor is prohibited from engaging in discriminatory employment practices as forbidden by the Iowa Civil Rights Act. These contractual provisions shall be fully enforced; any breach of them shall be regarded as a material breach of contract.

Article IX COMPLIANCE AND REPORTING

All state agencies responsible to the Governor shall cooperate fully with the Iowa Civil Rights Commission and such other persons as the Governor may authorize in effecting this CODE OF FAIR PRACTICES. Each state agency shall report annually to the Governor, between December 15 and January 1, all programs undertaken to effect this CODE.

Article X PUBLICATION AND POSTING

Copies of this CODE OF FAIR PRACTICES shall be distributed to all state officials and appointing authorities. The Code shall, further, be posted conspicuously in all state facilities. All state agencies responsible to the Governor shall also cooperate with the Iowa Civil Rights Commission in posting, upon request, notices in state facilities relating to the Iowa Civil Rights Act of 1965.

Executive Order Number One, relating to the CODE OF FAIR PRACTICES, and issued by me on May 14, 1964, is hereby repealed and this Executive Order shall be in full force and effect in lieu thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 11th day of October in the year of our Lord one thousand nine hundred sixty-seven.

SEAL

/s/ HAROLD E. HUGHES
GOVERNOR

Attest:

/s/ MELVIN D. SYNHORST
SECRETARY OF STATE

The Iowa Civil Rights Act of 1965, as amended

IOWA CIVIL RIGHTS COMMISSION

1203 East Court Avenue
Suite 306
Des Moines, Iowa 50319
(515) 281-5129

July, 1969

Elements of a complaint: The Commission's complaint form requires this information: name, address, and telephone of the complainant (the party filing the complaint) and the respondent (the party against whom the complaint is being filed); statement of the charge of alleged discrimination (including the basis upon which the complainant feels that he is being discriminated -- e.g. his race or religion); date of the incident; listing of other action taken by complainant (e.g. lawsuit filed, other agencies contacted). The complaint must be signed by the complainant, notarized, and filed in triplicate.

Who may file a complaint: Any individual; the Iowa Civil Rights Commission; an individual commissioner; the state attorney general; and any person or organization that has any employees or members who refuse to comply with the Iowa Civil Rights Act.

How to file a complaint: Individuals wishing to file a complaint may do so at the Commission office; may send a signed complaint through the mail; or may request Commission personnel (by mail, telephone, or personal contact) to visit them locally to discuss a possible complaint.

Deadline for filing a complaint: A complaint must be filed within 90 days of the alleged discriminatory act.

Steps in processing a complaint:

(a) Notification to respondent: Following the filing of a formal complaint, the Commission sends (by registered mail) a copy of the complaint to the respondent, together with a letter stating that the Commission will conduct an investigation of the charge.

(b) Appointment of investigating commissioner: At this time, the Commission chairman appoints one of the commissioners as the investigating commissioner to work closely with the compliance staff members in conducting the investigation and in reaching a preliminary conclusion on the merits of the complaint.

(c) Confidential conference: The first step in the investigation is to confer further with the complainant to determine the exact nature of his charge and to get his side of the story. Then a confidential conference is held with the respondent, to confront him with the particulars of the charge and to get his side of the story.

(d) Preliminary finding: Based upon the preliminary investigation and the initial contacts with the complainant and the respondent, the investigating commissioner (in conjunction with the executive director and the compliance director) makes a finding as to whether there may in fact be substance to the charge of discrimination. The complaint is dismissed at this stage, if the Commission finding is that of "no probable cause" for the charge of discrimination. On the other hand, a Commission finding of "probable cause"

The Iowa Civil Rights Act of 1965, as amended
(Ch. 105A, Code 1966)

105A.1 CITATION. This chapter may be known and may be cited as the "Iowa Civil Rights Act of 1965".

105A.2. DEFINITIONS. When used in this chapter, unless the context otherwise requires:

1. "Court" means the district court in and for the judicial district of the state of Iowa in which the alleged unfair or discriminatory practice occurred or any judge of said court if the court is not in session at that time.

2. "Person" means one or more individuals, partnerships, associations, corporations, legal representatives, trustees, receivers, and the state of Iowa and all political subdivisions and agencies thereof.

3. "Employment agency" means any person undertaking to procure employees or opportunities to work for any other person or any person holding himself or itself to be equipped to do so.

4. "Labor organization" means any organization which exists for the purpose in whole or in part of collective bargaining, of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

5. "Employer" means the state of Iowa or any political subdivision, board, commission, department, institution, or school district thereof, and every other person employing employees within the state.

6. "Employee" means any person employed by an employer.

7. "Unfair practice" or "discriminatory practice" means those practices specified as unfair or discriminatory in sections 105A.6, 105A.7 and 105A.8.

8. "Commission" means the Iowa state civil rights commission created by this chapter.

9. "Commissioner" means a member of the commission.

10. "Public accommodation" means each and every place, establishment, or facility of whatever kind, nature, or class that caters or offers services, facilities, or goods to the general public for a fee or charge, provided that any place, establishment, or facility that caters or offers services, facilities, or goods to the general public gratuitously shall be deemed a public accommodation if the accommodation receives any substantial governmental support or subsidy. Public accommodation shall not mean any bona fide private club or other place, establishment, or facility which is by its nature distinctly private, except when such distinctly private place, establishment, or facility caters or offers services, facilities, or goods to the general public for fee or charge or gratuitously, it shall be deemed a public accommodation during such period of use.

105A.3 COMMISSION APPOINTED. The Iowa state civil rights commission shall consist of seven members appointed by the governor with the advice and consent of the senate. Appointments shall be made to provide geographical area representation insofar as may be practicable. No more than four members of the commission shall belong to the same political party. Members appointed to the commission shall serve for a term of four years except the initial appointees shall be appointed by the governor to serve as follows:

1. Three members shall serve from the date of appointment until June 30, 1967.

2. Four members shall serve from the date of appointment until June 30, 1969.

Vacancies on the commission shall be filled by the governor by appointment for the unexpired part of the term of the vacancy with the advice and consent of the senate if the general assembly shall be in session. Any appointment filling a vacancy occurring while the general assembly is not in session shall be transmitted to the senate for confirmation within thirty days following the convening of the next session of the general assembly or the appointment shall expire. Any commissioner may be removed from office by the governor for cause.

105A.4. EXPENSES-RULES. Commissioners shall serve without compensation but shall be reimbursed for necessary travel and other expenses incurred while on official commission business. The commission shall adopt, amend, or rescind such rules as shall be necessary for the conduct of its meetings. A quorum shall consist of four commissioners.

105A.5. POWERS AND DUTIES. The commission shall have the following powers and duties:

1. To appoint and prescribe the duties of a director and such investigators and other employees and agents as the commission shall deem necessary for the enforcement of this chapter.

2. To receive, investigate, and pass upon complaints alleging unfair or discriminatory practices.

3. To investigate and study the existence, character, causes, and extent of discrimination in public accommodations, employment, apprenticeship programs, on-the-job training programs, vocational schools, and housing in this state and to attempt the elimination of such discrimination by education and conciliation.

4. To hold hearings upon any complaint made against a person, an employer, an employment agency, or a labor organization, or the employees or members thereof, to subpoena witnesses and compel their attendance at such hearings, to administer oaths and take the testimony of any person under oath, and to compel such person, employer, employment agency, or labor organization, or employees or members thereof to produce for examination any books and papers relating to any matter involved in such complaint. The commission shall issue subpoenas for witnesses in the same manner and for the same purpose on behalf of the respondent upon his request. Such

b. To directly or indirectly advertise or in any other manner indicate or publicize that the patronage of persons of any particular race, creed, color, national origin, or religion is unwelcome, objectionable, not acceptable, or not solicited.

2. This section shall not apply to:

a. Any bona fide religious institution with respect to any qualifications the institution may impose based on religion when such qualifications are related to a bona fide religious purpose.

b. The rental or leasing to transient individuals of less than six rooms within a single housing accommodation by the occupant or owner of such housing accommodation if the occupant or owner or members of his family reside therein.

105A.7. UNFAIR EMPLOYMENT PRACTICES.

1. It shall be an unfair or discriminatory practice for any:

a. Person to refuse to hire, accept, register, classify, or refer for employment; to discharge any employee, or to otherwise discriminate in employment against any applicant for employment or any employee because of the race, creed, color, national origin, or religion of such applicant or employee.

b. Labor organization or the employees, agents, or members thereof to refuse to admit to membership any applicant, to expel any member, or to otherwise discriminate against any applicant for membership or any member in the privileges, rights, or benefits of such membership because of the race, creed, color, national origin, or religion of such applicant or member.

c. Employer, employment agency, labor organization, or the employees, agents, or members thereof to directly or indirectly advertise or in any other manner indicate or publicize that individuals of any particular race, creed, color, national origin, or religion are unwelcome, objectionable, not acceptable, or not solicited for employment or membership.

2. This section shall not apply to:

a. Any employer who regularly employs less than four individuals. For purposes of this subsection, individuals who are members of the employer's family shall not be counted as employees.

b. The employment of individuals for work within the home of the employer if the employer or members of his family reside therein during such employment.

c. The employment of individuals to render personal service to the person of the employer or members of his family.

d. Any bona fide religious institution with respect to any qualifications for employment based on religion when such qualifications are related to a bona fide religious purpose.

105A.9. COMPLAINT - HEARING.

1. Any person claiming to be aggrieved by a discriminatory or unfair practice may, by himself or his attorney, make, sign, and file with the commission a verified, written complaint in triplicate which shall state the name and address of the person, employer, employment agency, or labor organization alleged to have committed the discriminatory or unfair practice of which complained, shall set forth the particulars thereof, and shall contain such other information as may be required by the commission. The commission, a commissioner, or the attorney general may in like manner make, sign, and file such complaint.

2. Any place of public accommodation, employer, labor organization, or other person who has any employees or members who refuse or threaten to refuse to comply with the provisions of this chapter may file with the commission a verified written complaint in triplicate asking the commission for assistance to obtain their compliance by conciliation or other remedial action.

3. After the filing of a verified complaint, a true copy thereof shall be served by registered mail to the person against whom the complaint is filed. Then a commissioner or a duly authorized member of the commission's staff shall make a prompt investigation thereof and if such investigating official shall determine that probable cause exists for crediting the allegations of the complaint, the investigating official shall immediately endeavor to eliminate such discriminatory or unfair practice by conference, conciliation, and persuasion.

4. The members of the commission and its staff shall not disclose the filing of a complaint, the information gathered during the investigation, or the endeavors to eliminate such discriminatory or unfair practice by conference, conciliation, and persuasion, unless such disclosure is made in connection with the conduct of such investigation.

5. In case of failure to satisfactorily settle a complaint by conference, conciliation, and persuasion, or in advance thereof if in the opinion of the investigating official circumstances so warrant, the official may issue and cause to be served a written notice together with a copy of such complaint, as the same may have been amended, requiring the person, employer, employment agency, or labor organization named in such complaint, hereafter referred to as respondent, to answer the charges of such complaint in writing within ten days after the date of such notice or within such extended time as the investigating official may allow.

6. When the investigating official is satisfied that further endeavor to settle a complaint by conference, conciliation, and persuasion shall be futile, the official shall report the same to the commission. If the commission determines that the circumstances warrant, it shall issue and cause to be served a written notice requiring the respondent to answer the charges of such complaint at a hearing before the commission, a commissioner, or such other person designated by the commission to conduct the hearing, hereafter referred to as hearing examiner, and at a time and place to be specified in such notice.

105A:10 JUDICIAL REVIEW.

1. Any complainant or respondent claiming to be aggrieved by a final order of the commission, including a refusal to issue an order, may obtain judicial review thereof, and the commission may obtain an order of court for the enforcement of commission orders in a proceeding as provided in this section.

2. Such proceeding shall be brought in the district court of the district in the county in which the alleged discriminatory or unfair practice which is the subject of the commission's order was committed, or in which any respondent required in the order to cease or desist from a discriminatory or unfair practice or to take other affirmative action, resides, or transacts business.

3. Such proceeding shall be initiated by the filing of a petition in such court and the service of a copy thereof upon the commission and upon respondent or complainant. Thereupon the commission shall file with the court a transcript of the record of the hearing before it. The court shall have jurisdiction of the proceeding and the questions determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript an order enforcing, modifying, and enforcing as so modified, or setting aside the order of the commission, in whole or in part.

4. An objection that has not been urged before the commission shall not be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

5. Any party may move the court to remit the case to the commission in the interests of justice for the purpose of adducing additional specified and material evidence and seeking findings thereof, providing such party shall show reasonable grounds for the failure to adduce such evidence before the commission.

6. The hearing on appeal shall be tried in equity and shall be de novo. The court may receive additional testimony and may affirm, modify, or reverse the order of the commission.

7. The jurisdiction of the court shall be exclusive and its judgment and order shall be final subject to review by the supreme court as provided by law.

8. The commission's copy of the testimony shall be available to all parties for examination at all reasonable times, without cost, and for the purpose of judicial review of the commission's orders.

9. The commission may appear in court by its own attorney.

10. Unless otherwise directed by the commission or court, commencement of review proceedings under this section shall operate as a stay of any order.

11. Petitions filed under this section shall be heard expeditiously and determined upon the transcript filed without requirement for printing.

12. If no proceeding to obtain judicial review is instituted by a complainant or respondent within thirty days from the service of an order of the commission under section 105A.9, the commission may obtain an order

Excerpts from For all the People...By all the People,
1969 Report of the U.S. Commission on Civil Rights.

THE COMMISSION'S
RECOMMENDATIONS

I. ACTION NEEDED TO ACHIEVE EQUALITY IN STATE
AND LOCAL GOVERNMENT EMPLOYMENT

A. Every State and local government should adopt and maintain a program of employment equality adequate to fulfill its obligation under the equal protection clause of the 14th amendment to assure:

1. that current employment practices are nondiscriminatory; and
 2. that the continuing effects of past discriminatory practices are undone.
- B. Although the programs of employment equality adopted by individual

State and local governments will vary widely with the particular needs and problems of each, all such programs should include the following three elements:

1. An evaluation of employment practices and employee utilization patterns adequate to show the nature and extent of barriers to equal opportunity for minorities and of any discriminatory underutilization of minorities;
2. Preparation and implementation of a program of action which is calculated:
 - a. to eliminate or neutralize all discriminatory barriers to equal employment opportunities; and
 - b. to undo any patterns of minority underutilization which have been brought about by past discrimination.

II. METHODS OF ENFORCEMENT AND ASSISTANCE BY
THE FEDERAL GOVERNMENT TO ADVANCE EQUALITY
IN EMPLOYMENT IN STATE AND LOCAL GOVERNMENT

A. Congress should amend Title VII of the Civil Rights Act of 1964 (1) by eliminating the exemption of State and local government from the coverage of Title VII, and (2) by conferring on the Equal Employment Opportunity Commission the power to issue cease and desist orders to correct violations of Title VII.

B. The President should seek and Congress should enact legislation authorizing the withholding of Federal funds from any State or local public agency that discriminates against any employee or applicant for employment who is or would be compensated in any part by, or involved in administering the program or activity assisted by, the Federal funds.

C. Pending congressional action on Recommendation IIB, the President should (1) direct the Attorney General to review each grant-in-aid statute under which Federal financial assistance is rendered to determine whether the statute gives the agency discretion to require an affirmative program of non-discrimination in employment by recipients of funds under the program; and (2) require all Federal agencies administering statutes affording such discretion to impose such a requirement as a condition of assistance. In the event the Attorney General determines that under a particular statute the agency does not have the discretion to impose such a requirement, he should advise the President whether he has the power to direct the agency to do so. If the Attorney General advises the President that he lacks such power in a particular case, the President should seek appropriate legislation to amend the statute.

- c. Inform all applicant sources, both generally and each time a specific request for referral is made, that minority applicants are welcome and that discrimination in referrals will not be tolerated.
- d. Fully inform each applicant of the basis for all action taken on his or her application. Supply in detail the bases for rejection minority applicants possible methods for remedying disqualifying factors.
- e. Make data on minority employment status available on request to employees, to minority leaders in the job area, and to others with a genuine concern in employment nondiscrimination.
- f. Invite minority persons to visit State and local government facilities; explain employment opportunities and the equal opportunity program in effect.
- g. Include minority persons among those who deal with persons applying for employment, with clientele, or with other members of the public, in order to communicate the fact of minority equal opportunity.
- h. Coordinate the employment and placement activities of the various agencies of the State or local government, at least for the purpose of facilitating minority applications or requests for transfer. To the same end, maintain minority applications or transfer requests on an active basis for a substantial period of time.
- i. Participate in Neighborhood Youth Corps, New Careers, other Federal job training or employment programs, or similar State or local programs. In connection with such programs, or otherwise, make a particular effort to design work in a way which gives rise to jobs which are suitable for minority group persons who are available for employment.
- j. Independent of outside programs, institute on-the-job training or work-study plans, in which persons are employed part-time while studying or otherwise seeking to satisfy employment requirements; this may include summertime employment for persons in school.

- c. Broaden job experience and facilitate transfers of minority employees by creating a system of temporary assignments in other positions or agencies.
- d. Individually appraise the promotion potential and training needs of minority employees, and take action necessary to permit advancement.
- e. Announce all position openings on a basis which will bring them to the attention of minority employees and make clear that minority persons are eligible and encouraged to apply.

DISCIPLINE

- a. Formulate disciplinary standards and procedures in writing, and distribute them to all employees.
- b. In case of proposed disciplinary action, inform the employee of the infraction alleged and afford an opportunity for rebuttal. If the rebuttal is deemed unsatisfactory, clearly state the reasons why.

FACILITIES

Assure that facilities, including all work-related facilities and those used in employer-sponsored recreational or similar activities, are not subject to segregated use, whether by official policy or by employee practice.

In addition to the above actions, there is a need for a continuing review of employment practices and of their effect upon minority group persons. Such a review requires the regular collection and evaluation of data on employee distribution and personnel actions.

d. Where there are a substantial number of separate components within the State or local government, make periodic inspection and review of employment practices and minority status in the various component agencies.

e. Regularly interview minority employees upon termination to determine whether discriminatory acts or policies played a role in the termination.

The EEO Section of the Contracts Department is comprised of three individuals; the EEO Supervisor, an EEO Technician and a clerk. It is our commitment that Equal Employment Opportunity become and remain a reality in the highway construction industry in the State of Iowa. This commitment is reinforced by the attitudes expressed by our immediate supervisor, the Director of ISHC and the Commissioners.

Briefly, the EEO program is a three step operation; education, monitoring, and if needed, sanctioning.

The first, education, is the process by which we attempt to educate contractors, state and county, as to what their respective responsibilities are.

Second, monitoring a firm's activities as to how they relate to the EEO program. The monitoring is accomplished through the Resident Construction or County Engineers. These reports reflect the contractors' hiring patterns, also the classifications under which people are hired.

Another part of the monitoring process is the conducting of job-site reviews by the Resident Construction or County Engineers. Upon completion of the review, it is forwarded to the EEO Section of the Contracts Department for final analysis and determination of contractor's compliance. Another phase of inspection is conducted by the EEO Supervisor or Technician. These particular inspection reports refer to Home Office reviews for the purpose of supplementing the job-site inspections to determine a contractor's compliance as set out in Federal and State regulations.

EXHIBIT C

DES MOINES MINORITY
MANPOWER SOURCES

RESOURCE CORRESPONDENCE
(Regional States plus Others)

CONCENTRATED EMPLOYMENT PROGRAM

545 - 6th Street
Des Moines, Iowa
Contact: Robert Kresbauch
Phone: 288-6065

IOWA STATE EMPLOYMENT SERVICE

150 Des Moines Street
Des Moines, Iowa Phone: 243-7661
Contact: Ask to have a minority person
included in their referrals

IOWA BYSTANDER

Advertising medium
221 Locust
Des Moines, Iowa Phone: 288-1904
A weekly newspaper reaching black people.

AREA XI COMMUNITY COLLEGE

2002 Ankeny Blvd.
Ankeny, Iowa
Contact: Mr. Tom Dart Phone: 964-0651

Areas of referrals:

Clerical and Secretarial
Key Punch
Medical Laboratory
Operating Technicians
Auto Mechanics
Electronic Maintenance
Mechanical Technicians
Drafting
Data Processing
Printing
Marketing

NEW HORIZONS

A part time work program for junior high age students.
Several junior high schools participate in the program
as referral sources.

CONTACTS: Kate Goldman Phone: 283-2161
Paul Devin Phone: 243-1406

WEST DES MOINES OPPORTUNITY CENTER

735 Railroad

West Des Moines, Iowa

Contact: Mr. Julius Fidler, Jr.
Supervisor

Phone: 255-1131

CONCENTRATED EMPLOYMENT PROGRAM

545 - 6th Avenue

Des Moines, Iowa

Contact: Mr. Richard Freeman
Director

OCCUPATIONAL UPGRADING PROJECT

545 - 6th Avenue

Des Moines, Iowa

Contact: Mr. Arthur Jackson
Director

REGIONAL CORRESPONDENCE

Kansas

State Highway Commission of Kansas
State Office Building
Topeda, Kansas 66612
Phone: 913-CE5-0011
Mr. C. Arthur Hallber, Personnel Director

Missouri

Missouri State Highway Commission
State Highway Building
Jefferson City, Missouri
Phone: 314-636-3121
% Mr. Richard F. Carter, Minority Specialist

Nebraska

Department of Roads
South Junction of US 77 and N-2
Lincoln, Nebraska
Phone: 402-477-6012
Mr. Lowell W. Fisk, Personnel Director

North Dakota

State Highway Department
State Highway Building
Capital Grounds
Bismark, North Dakota 58501
Phone: 701-224-2500
Mr. Morris G. Brynjolfson, Personnel Director

Minnesota

Department of Highways
State Highway Building
St. Paul, Minnesota 55101
Phone: 612-221-3131
Mr. Jack C. Davis, Personnel Director

South Dakota

Department of Highways
Pierre, South Dakota 57501
Phone: 605-224-3265
Mr. Ken Gelhaus, Personnel Director and Comptroller

ADDITIONAL CORRESPONDENCE

New York

Department of Transportation
1220 Washington Avenue
Albany, New York 12226
Phone: 318-457-4422
Mr. Joseph P. Ronan, Assistant Commissioner for Man
Power and Employee Relations



THE IOWA STATE HIGHWAY COMMISSION • 515-232-7250 • AMES, IOWA 50010

JOSEPH R. COUPAL, JR.
Director

H. E. GUNNERSON
Chief Engineer

TO: State Highway Agencies

The Iowa State Highway Commission is in the process of implementing and developing an effective Equal Employment Opportunity Program to fulfill our obligations so stated under the equal protection of the 14th amendment, and to assure that current employment practices are non-discriminatory; and that the continuing effects of past discriminatory practices are undone. With this activity in mind the following progress has been made:

1. In addition to our Commission's commitment toward equal opportunity in Equal Employment and fair practices for all active and prospective Highway Commission employees regardless of Race, Creed, Religion, Age or Sex we are committed to have follow-through sessions in the form of staff meetings at all level echelons.
2. To start our cycle of progress we decided to project where we wanted to be and when; set goals to verify the results and effectiveness of our total program; set up programs to achieve desired results; measure progress by comparing with other state agencies and sister-state Highway Departments; re-cycle the progress through evaluation and follow-up procedures.

COMMISSIONERS

ROBERT C. BARRY
Danbury

STEPHEN GARST
Coon Rapids

WILLIAM O. GRAY
Cedar Rapids

DERBY D. THOMPSON
Burlington

KOERT S. VOORHEES
Cedar Falls

1. Equal Employment Opportunity provisions
2. Internal Communications
3. Community Relations
4. Recruiting
5. Selection, Placement and Promotion
6. Surveillance (of discipline and etc.)
7. Training
8. Esprit De Corps
9. Employee Relations
10. Administration and Follow-up of our plan to
Equal Employment

We hope that you might find some information that will help you to add to or strengthen your affirmative action program. Above all we hope you will respond to this letter because we feel that with the adoptions of new concepts or recommendations from different sources we will be able to broaden our capabilities in this most difficult area.

Hoping to hear from you soon.

Sincerely,

Aaron B. Carter, Jr.
Equal Employment Opportunity
Officer

ABC/pap

EXHIBIT D

RULES AND INSTRUCTION AID FOR
MERIT EMPLOYMENT APPLICATION

Helpful Merit Employment Application Aids

This form is probably your first contact with the person who may hire you, so it is important to fill it out neatly and carefully to make a good first impression. Keep in mind his point of view; that is, what good you can do for him, rather than what good he can do for you.

Follow the general rules and the step-by-step instructions below, and you will give the best impression of yourself.

Do's

Read each question carefully and answer it clearly and completely.

If you don't understand a question, ask someone to explain what it means.

Answer questions, emphasizing the parts of your experience that are especially important for the job you are interested in.

Print neatly in black ink, or typewriter with black ribbon.

If you make a mistake, don't write over or make a messy scrawl, draw one line through it. (Not over three cross outs.)

Don'ts

Be careless or sloppy because it might cost you a job opportunity.

Take a chance of misinterpreting a question.

Use a lot of space describing experience which is unrelated to the job you are applying for.

Use pencil or different colored inks.

Turn in a messy or illegible application, if necessary, ask for a new one and start again.

Salary - Give your salary in dollars per hour, week, month or year, as you prefer, but be certain to use the same unit for your starting salary and the salary you were making at the end.

Detailed Description of Duties

In this area, put the official title of your position, or if there wasn't one, a general descriptive title. Under duties, write what responsibilities you had for money or equipment, and whether your work was largely independent or closely supervised.

Question 26 - For periods you were not employed during the past 10 years, explain what you were doing, for example:

From	To	
Aug. 70	June 71	Attending Secretarial School
June 70	July 70	Volunteer youth worker for church

Questions 27, 28, 29 - Read Carefully and fill in correct information.

Question 30 - Veterans Preference - It is possible to be allotted five (5) points over your evaluation score if you can furnish documentary proof of involvement in wartime campaign, or ten (10) points if you can produce evidence of disability during or as a result of Active wartime duty.

There are specific dates covered in wartime campaigns that are considered for Veterans preference, these are:

World War I	April 6, 1917-November 11, 1918
World War II	December 7, 1941-December 2, 1945
Korean War	June 27, 1950-July 27, 1953
Viet Nam War	August 6, 1964-Ending on the date the Arm Forces of the United States are directed by formal order of the government of the United States to cease hostilities-both dates inclusive.

The Iowa Bonus Board which is located at Camp Dodge, Iowa, assures what is exceptable and what is not. This Board is the official agency for the State of Iowa and has the final word in all cases.

Question 31 - Your Official Signature and date of completion of application. Your signature is verification of education and all other information is true.

25. EMPLOYMENT RECORD: GIVE A COMPLETE RECORD OF ALL EMPLOYMENT YOU HAVE HAD WITHIN THE LAST 10 YEARS, INCLUDING GOVERNMENT EMPLOYMENT AND MILITARY SERVICE. DESCRIBE THE POSITIONS YOU HAVE HELD SO AS TO GIVE A CLEAR PICTURE OF THE DUTIES YOU HAVE PERFORMED. START WITH YOUR PRESENT EMPLOYMENT OR, IF UNEMPLOYED, YOUR MOST RECENT EMPLOYMENT AND LIST YOUR EMPLOYMENT RECORD IN **REVERSE ORDER**. IF MORE THAN ONE POSITION OR CLASSIFICATION HAS BEEN HELD WITH A GIVEN ORGANIZATION, LIST EACH POSITION OR CLASSIFICATION AS A SEPARATE PERIOD OF EMPLOYMENT. ATTACH EXTRA SHEET IF NECESSARY. BE SURE TO INDICATE WHERE THIS RECORD OF YOUR EXPERIENCE MAY BE VERIFIED. EXPLAIN ALL PERIODS OF UNEMPLOYMENT UNDER ITEM 26.

EMPLOYER'S NAME AND ADDRESS AND IMMEDIATE SUPERVISOR	UNDER "DATE" GIVE MONTHS AND YEARS OF EMPLOYMENT, CHECK WHETHER EMPLOYMENT WAS FULL OR PART TIME AND GIVE PERCENTAGE OF TIME WORKED OR NUMBER OF HOURS WORKED IF PART TIME.	SALARY	DETAILED DESCRIPTION OF DUTIES (IF WORK WAS OF A SUPERVISORY NATURE GIVE NUMBER OF EMPLOYEES SUPERVISED)
PRESENT OR LAST EMPLOYER _____ ADDRESS _____ KIND OF BUSINESS _____ IMMEDIATE SUPERVISOR _____ TITLE OF SUPERVISOR _____	DATE FROM _____ TO _____ CHECK ONE FULL TIME <input type="checkbox"/> PART TIME <input type="checkbox"/> IF PART TIME GIVE % OF TIME WORKED OR HRS. WORKED PER WEEK. % OR HRS. PER WK. _____	ENTRANCE \$ _____ PER _____ LAST \$ _____	TITLE OF POSITION: _____ DESCRIPTION OF DUTIES: _____ REASON FOR LEAVING: _____
EMPLOYER _____ ADDRESS _____ KIND OF BUSINESS _____ IMMEDIATE SUPERVISOR _____ TITLE OF SUPERVISOR _____	DATE FROM _____ TO _____ CHECK ONE FULL TIME <input type="checkbox"/> PART TIME <input type="checkbox"/> IF PART TIME GIVE % OF TIME WORKED OR HRS. WORKED PER WEEK. % OR HRS. PER WK. _____	ENTRANCE \$ _____ PER _____ LAST \$ _____	TITLE OF POSITION: _____ DESCRIPTION OF DUTIES: _____ REASON FOR LEAVING: _____
EMPLOYER _____ ADDRESS _____ KIND OF BUSINESS _____ IMMEDIATE SUPERVISOR _____ TITLE OF SUPERVISOR _____	DATE FROM _____ TO _____ CHECK ONE FULL TIME <input type="checkbox"/> PART TIME <input type="checkbox"/> IF PART TIME GIVE % OF TIME WORKED OR HRS. WORKED PER WEEK. % OR HRS. PER WK. _____	ENTRANCE \$ _____ PER _____ LAST \$ _____	TITLE OF POSITION: _____ DESCRIPTION OF DUTIES: _____ REASON FOR LEAVING: _____
EMPLOYER _____ ADDRESS _____ KIND OF BUSINESS _____ IMMEDIATE SUPERVISOR _____ TITLE OF SUPERVISOR _____	DATE FROM _____ TO _____ CHECK ONE FULL TIME <input type="checkbox"/> PART TIME <input type="checkbox"/> IF PART TIME GIVE % OF TIME WORKED OR HRS. WORKED PER WEEK. % OR HRS. PER WK. _____	ENTRANCE \$ _____ PER _____ LAST \$ _____	TITLE OF POSITION: _____ DESCRIPTION OF DUTIES: _____ REASON FOR LEAVING: _____

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27. CHECK YOUR SOURCE(S) OF INFORMATION CONCERNING POSITION(S) APPLIED FOR.

- (A) CLASSIFIED AD CAMPUS PAPER (B) MERIT EMPLOYMENT DEPARTMENT (C) NEWS STORY
 (D) NEWSPAPER ADVERTISING (E) EXAMINATION ANNOUNCEMENT (F) STATE EMPLOYEE
 (G) AGENCY OFFICE (H) OTHER _____

28. EDUCATION

SCHOOL ATTENDED	CIRCLE HIGHEST GRADE ATTENDED	DATE LAST ATTENDED	DID YOU GRADUATE	NAME AND LOCATION OF SCHOOL LAST ATTENDED
ELEMENTARY	1 2 3 4 5 6			
JUNIOR HIGH SCHOOL	7 8 9			
HIGH SCHOOL	10 11 12			

IF YOU ARE NOT A HIGH SCHOOL GRADUATE, DO YOU HAVE A HIGH SCHOOL EQUIVALENCY CERTIFICATE? YES NO IF ANSWER IS "YES", GIVE DATE OF CERTIFICATE: _____

COLLEGES, UNIVERSITIES, JUNIOR COLLEGES ATTENDED * Q IF QUARTER HOURS S IF SEMESTER HOURS

NAME AND LOCATION	DATE ATTENDED		CR. HRS. EARNED	* Q S	DEGREE AND YEAR	MAJOR SUBJECTS TAKEN	DO WR HE
	FROM	TO					

BUSINESS AND TECHNICAL SCHOOLS ATTENDED

NAME AND LOCATION	DATE ATTENDED		CR. HRS. EARNED	DIPLOMA	CERTIFICATE	COURSE COMPLETED	DO WR HE
	FROM	TO					

CORRESPONDENCE WORK COMPLETED

NAME AND LOCATION OF INSTITUTION	LENGTH OF COURSE		CR. HRS. EARNED	COURSES COMPLETED	DO WR HI
	FROM	TO			

29. IF YOU ARE APPLYING FOR OFFICE WORK, GIVE DATA CONCERNING YOUR ABILITY.

- (A) RATE OF DICTATION _____ (B) TYPING SPEED _____ (C) CAN YOU TRANSCRIBE FROM DICTATING MACHINE YES NO
 (WORDS PER MIN.) (WORDS PER MIN.)
 (D) WHAT OFFICE MACHINES CAN YOU OPERATE SKILLFULLY? (INDICATE KIND, MAKE AND MODEL) _____

30. VETERAN PREFERENCE. PERSONS WHO HAVE BEEN HONORABLY SEPARATED FROM ACTIVE OR CAMPAIGN OR EXPEDITION SERVICE FOR WHICH A CAMPAIGN BADGE OR SERVICE MEDAL HAS BEEN AUTHORIZED BY THE GOVERNMENT OF THE UNITED STATES ARE ALLOWED VETERAN PREFERENCE POINTS IN ACCORDANCE WITH IOWA CODES. IN SUPPORT OF YOUR CLAIM FOR VETERAN PREFERENCE, YOU WILL BE REQUIRED TO FURNISH DOCUMENTARY PROOF OF SERVICE UPON REQUEST OF AGENCY OR THE MERIT EMPLOYMENT DEPARTMENT.

DO YOU CLAIM VETERAN PREFERENCE:	YES	NO	IF VETERAN PREFERENCE IS CLAIMED, LIST DATES OF SERVICE:
(A) BASED ON ACTIVE WARTIME CAMPAIGN OR EXPEDITION SERVICE?	<input type="checkbox"/>	<input type="checkbox"/>	DATE(S) OF ENTRY: _____
(B) AS A DISABLED VETERAN?	<input type="checkbox"/>	<input type="checkbox"/>	DATE(S) OF SEPARATION: _____

IF CAMPAIGN OR EXPEDITION SERVICE IS CLAIMED SUBMIT COPY OF OFFICIAL ORDERS OR CITATION. IF DISABILITY IS CLAIMED, GIVE PERCENT _____

31. CERTIFICATE OF APPLICANT. READ CAREFULLY BEFORE SIGNING.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE IN THIS APPLICATION ARE TRUE AND I AGREE AND UNDERSTAND THAT ANY MISSTATEMENT OF MATERIAL FACTS HEREIN MAY CAUSE FORFEITURE ON MY PART OF ALL RIGHTS TO ANY EMPLOYMENT IN THE SERVICE OF THE STATE OF IOWA. THE MERIT EMPLOYMENT DEPARTMENT OR THE EMPLOYING AGENCY IS AUTHORIZED TO REQUEST A TRANSCRIPT TO VERIFY MY EDUCATIONAL RECORD.

SIGNATURE _____ DATE _____

DO NOT WRITE IN THIS SPACE

EMPLOYMENT CHECK	
EDUCATION CHECK	
POLICE RECORD CHECK	
VETERAN STATUS CHECK	
PHYSICAL EXAMINATION	
FINGERPRINT CHECK	
OTHER	

EXHIBIT E

EMPLOYMENT EVALUATION
(Questionnaire)



THE IOWA STATE HIGHWAY COMMISSION • 515-232-7250 • AMES, IOWA 50010

JOSEPH R. COUPAL, JR.
Director

H. E. GUNNERSON
Chief Engineer

I would like to take this opportunity to acquaint you with the Equal Employment Opportunity Office (EEO Office) of the Iowa State Highway Commission. This section of the Personnel Department has been set-up to establish and maintain an EEO Program with emphasis on recruitment of minority group persons.

Every employee must remember that he has a responsibility that is very necessary for the continued success of our total operational functions. In addition to our responsible positions the Commission has made a commitment toward Equal Opportunity in Equal Employment and fair practices for all active and prospective employees regardless of Race, Creed, Religion, Age or Sex.

The attached questionnaire form is a confidential message from you to your Equal Employment Opportunity Officer, and in the future the submittance of this report will be after the first, third and sixth month of employment and also after the twelfth month.

We hope that your participation in this kind of follow-up procedure will aid us in our internal communication, our placement and surveillance activities. If you have any questions please call me.

Sincerely,

A handwritten signature in cursive script that reads "A. B. Carter, Jr.".

Aaron B. Carter, Jr.
Equal Employment Opportunity
Officer

Phone: 515-232-7250, Ext. 301

ABC/pap

COMMISSIONERS

ROBERT C. BARRY
Danbury

STEPHEN GARST
Coon Rapids

WILLIAM O. GRAY
Cedar Rapids

DERBY D. THOMPSON
Burlington

KOERT S. VOORHEES
Cedar Falls

EMPLOYMENT EVALUATION

1. How do you rate your job situation?

Comments, if any

- Excellent
- Good
- Fair
- Poor

2. How do you rate your job capabilities?

- I do average work
- I do above average work
- I do below average work

3. Do you feel to be qualified for your position?

- Yes
- No

4. Do you feel that you receive proper supervision?

- Yes
- No

5. How do you rate your attendance?

- Good
- Fair
- Poor

6. "I am _____ tardy."

- Often
- Sometimes
- Never

7. Do you have any "pet peeves" concerning those you work with?

- Yes
- No

EXHIBIT F

FORMAL LETTER TO PARTICIPANTS
SPECIAL EEO MEETING

RECRUITMENT PROGRAM
PUBLIC SERVICES
ANNOUNCEMENTS

THE IOWA STATE HIGHWAY COMMISSION • 515-232-7250 • AMES, IOWA 50010

October 23, 1970

JOSEPH R. COUPAL, JR.
Director

H. E. GUNNERSON
Chief Engineer

The Iowa State Highway Commission is in the process of implementing and developing an effective Equal Employment Opportunity Program.

We have made personal visits, throughout the state, with District and Resident Highway Commission offices, State Employment Agencies, Counselors and minority group students from high schools, minority group adults who serve in many capacities, and many minority churches, all in order to gain a further understanding as to the scope of the problem regarding employment in each area stressing concentration on recruitment for our most recently completed Engineering Aid Schools (entry-level professional positions).

We are especially seeking for the best support and assistance available to enable us to have continued progress in the hiring, training, and retention of the minority group members, as well as the progress of our total operational functions.

As professionals in the fields of equal employment we also need support services that provide the most pertinent information about minority and disadvantaged employment. A support that will provide reliable, factual, and up-to-date information to keep us abreast of the trends of employment problems. We are aware that some programs are not geared to support state or federal agencies, but we feel that if we gain the adoption of some new concepts or recommendations along with other programs that have the latitude to provide us direct services we will be able to broaden our capabilities in this most difficult area.

COMMISSIONERS

ROBERT C. BARRY
Danbury

STEPHEN GARST
Coon Rapids

WILLIAM O. GRAY
Cedar Rapids

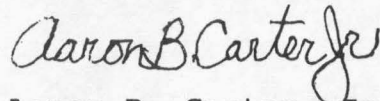
DERBY D. THOMPSON
Burlington

KOERT S. VOORHEES
Cedar Falls

Discuss in brief your operational functions, and what possible services could be offered to our agency.

Introduction of speakers and resource participants will begin promptly at 2:00 p.m., Tuesday, November 3, 1970, at the Iowa State Employment Services, Conference Room, 1st and Des Moines Street, Des Moines, Iowa.

Sincerely,



Aaron B. Carter, Jr.
Equal Employment Opportunity
Officer

ABC/pap

Recruitment Program
Public Services Announcements

Radio Station KWWL
Mr. Warren Mead
East 4th and Franklin
Waterloo, Iowa
Phone: 319-234-4401

Radio Station KIOA
Mr. Burt Powley
215 Keo
Des Moines, Iowa 50309
Phone: 282-9191

Radio Station KSTT
Public Services Department
1111 East River Drive
Davenport, Iowa
Phone: 326-2541

Radio Station KLWW
Mr. Greg Jones
P. O. 876
Cedar Rapids, Iowa 52406
Phone: 363-8265

An arrangement for a 15 minute interview -
Late morning or early afternoon on Sunday
in the near future

Radio Station KVFD
Mr. Drexel Peterson
548 "A" Street
Fort Dodge, Iowa
Phone: 573-4121

Radio Station KWMT
Mr. Jim Mauer
Warden Plaza
Fort Dodge, Iowa
Phone: 955-8533

Radio Station KBUR
Mr. Cletus Paull
P.O. 70
Burlington, Iowa
Phone: 752-2701

THE IOWA STATE HIGHWAY COMMISSION • 515-232-7250 • AMES, IOWA 50010

JOSEPH R. COUPAL, JR.
Director

H. E. GUNNERSON
Chief Engineer

TO: Radio Stations

The Iowa State Highway Commission is in the process of implementing and developing an effective Equal Employment Opportunity Program to fulfill our obligations so stated under the equal protection of the 14th amendment, and to assure that current employment practices are non-discriminatory; and that the continuing effects of past discriminatory practices are undone. With this activity in mind the following progress has been made:

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2. To start our cycle of progress we decided to project where we wanted to be and when; set goals to verify the results and effectiveness of our total program; set up programs to achieve desired results; measure progress by comparing with other state agencies and sister-state Highway Departments; re-cycle the progress through evaluation and follow-up procedures.

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1. Equal Employment Opportunity provisions
2. Internal Communications
3. Community Relations
4. Recruiting
5. Selection, Placement and Promotion
6. Surveillance (of discipline and etc.)
7. Training
8. Esprit De Corps
9. Employee Relations
10. Administration and follow-up of our plan to Equal Employment

We are attempting to try a new approach to motivate minority group members to apply for state government job opportunities; we are certain that your media can help spread the word to hundreds of minority and disadvantaged persons who are in need of a career opportunity, and lastly we hope to do our share in reducing the percentage increase in welfare receipts.

Sincerely,

Aaron B. Carter, Jr.
Equal Employment Opportunity
Officer

P.S. We are presently involved in recruiting for an Engineer Aid I Program, please see attached sheet. The deadline for applications is March 31, 1971. All applicants should go to the Iowa State Employment Service in their vicinity.

ABC/pap

Attachment

EXHIBIT G

SAMPLE OF WORK PROCEDURES:
INVESTIGATION AND SURVEILLANCE ACTIVITIES

IOWA STATE HIGHWAY COMMISSION

To Dept.

Date May 10, 1971

Attention Richard E. Zickefoose

REFER TO:

From Aaron B. Carter, Jr.

Subject Equal Employment Opportunity Activity April 9-May 3, 1971

Evelyn Holt-4-9-71. Checked to see if Merit Test date was confirmed. Failed the test by two points. Rescheduled for 5-8-71.

James Green-4-12-71. Follow-up procedure. Talked with Ray Martin Asst. to Robert Shelquist concerning the two vacancies in his residence. James had not received any notification as to his present pursuit of a Maintenance Man I position.

Roger Maxwell -State Board of Regents-4-12-71. I suggested that he contact all educational institutes to encourage them to get all applications in not later than April 19th. This was an extension of four days RE: Our discussion.

Ken Weaver- Special Support Services, Educational Opportunities Program-4-16-71, the University of Iowa. Ken phoned to express his disappointment concerning ten applications that were returned to the App's with a stipulation of their being to late. The Applications were c/o Aaron B. Carter, Jr. Equal Employment Opporutnity Officer--I don't know what happened! I directed him to send back the applications and write personal on the envelope. I expressed that I wouldn't be able to promise anything due to the late date.

Elvin Clark-Davenport 4-19-71. Discussed and discussed deficiencies. He promised that he would diffinetly become an dependable employee. On Monday 4-26-71, Elvin was to report for work at 7:00 a.m., but he did not call or report in until 10:30 a.m. Reccomendation: There is no other recourse in light of all futile efforts by Mr. Meeks and myself except dismissal.

William Simmons-4-20-71. Zeroed in on Simmons to encourage him to send his preference of locations card in. 4-21-71. Since he had misplaced it, I handcarried another card to him.

James Green-4-21-71. James cornered me and wanted an answer as to what his status was in reference of his being contacted for employment. I told him the truth. We are not interested in hiring him at the present. We had three minority App's to fill two vacancies.

Climate; Supportive Services; Systematic Patterns; Prognosis; .
: Identification: Extra university, Intra-university; training:
Audit, measure, monitor; Executive Orders: Special Support Com-
cept; Systematic discrimination; Affirmative Action: State policies,
goals, accountability, measurement of results.

Edna Griffin-Director of Urban Affairs. 4-27-71. Returned about five summer applications due to receiving them well past the deadline. Edna has done a wonderful job helping us in our summer employment program. I will send her a letter of commendation.

Harold Dowden and David Ellis-RCE 4-29-71. The rating as of April 15th covering periods from January 1st states that there is an improvement over Jones' rating of last fall, but still there is a lot to be desired. "Please converse with him". which I did.

Raymond Jones-4-29-71. Discussed the importance of exercising initiative, defend same (lot of minorities are not accustomed to such terminology). He assured me that he would show a vast improvement.

Robert Shelquist RME-4-29-71. Briefed me on the report received from Meredith Publishing Company concerning Alonzo Bibbins reference status--A good worker, but had several criminal charges against him; and violated a \$50,000 bond and skipped off to Denver, Colorado; they also added that there was a warrant for his arrest on sight. Ray Martin filled me in on other particulars of the matter, and also discussed James Green vs. James Brown--who did I feel was the most responsible of the two.

Attorney Charles Glenn-West Des Moines--4-29-71. Left a message for Charles to call me. We finally got together and discussed pros and cons. 5-3-71, Charles assured me that he would write a letter to clear up the situation.

Alonzo Bibbins--4-29-71. Great difficulties locating Alonzo--checked his apartment, Accounting Aid Society, where his brother works. Checked the Model Cities Administration Office where Alonzo works part-time under my sister's supervision. He finally called me and I eased his mind.

Lou Proctor-Personnel Director, Meredith Publishing Company-4-29-71. His secretary read a letter written by the former Personnel Director which stated that he would not be eligible for reemployment with the company due to the fact that he did not give complete information regarding his situation. Lou and I had a chat after he returned from lunch and he cleared Alonzo and he also said that he would hire him if he ever wanted to return to Meredith.

James Brown-5-3-71. Interviewed James to give an impression to Ray Martin. A very good applicant and I think he should be hired.

EXHIBIT H

MODEL PLANS FOR TRANSPORTING MINORITIES

The minority and disadvantaged members often have transportation problems in connection with accepting job opportunities in areas outside of their immediate communities.

With this fact in mind, a Des Moines--Ames car pool was established with the primary reason being for economical purposes. Other conveniences and advantages, not initially perceived, added icing to the cake, such as: debates and discussions relating to current events - this added a social element to the daily trip and also consumed time; the wife having possession of the car--a one car family; arrangements could be made for automotive repairs and tune-ups; and a very enjoyable ride during off driving weeks.

James W. Carter, the co-author of these articles, listed satisfaction in relation to security factors as being the main reason for having by-laws which in turn would confirm the pursuit of happiness goal, and finally would help to alleviate the frustrations resulting from irresponsiveness.

C. Confirmation

1. Affirmative approach that allows each participant a voice and equal treatment

Article I

Full-time CPP's must drive or pay a full week and/or pay each day in advance.

A. Duty

1. The "driver of the week" must accept responsibility to see that all CPP's are safely on time; failure to do so could mean termination (See Article III for more detail.)
2. All cars must be in good working condition for the different seasons and also should be well equipped.
3. All arrangements must be made a week in advance except for real emergencies in accordance with having to ask someone to substitute

Article II

Full-time non-driver participants must abide by the following:

- A. Pay the sum of \$15.00 per week each turn
- B. If a CPP doesn't feel up to driving or has any reason other than car trouble, he will pay a fee of \$3.50 a day--this includes pay to a substitute for oversleeping, etc.
- C. If your car is getting repaired and it's your week to drive you will pay \$2.50 a day and you should submit proof of repair bills

Article III

Advance pay as stated in Article II-B will be paid to whoever is substituting.

1. If leave is less than three (3) months (temporary leave) the rule applies as stated in Article III

Article VIII

Termination of part-time or full-time CPP.

- A. If any CPP jeopardizes the jobs of other participants through negligences and undependability, the action taken will be voted on (action could be a suspension)
- B. All CPP's must notify the "driver of the week" if he is not riding any particular day (if possible)
- C. We will refrain from taking action on the basis of a personality conflict between any CPP's.
 1. If the situation gets too dree a special meeting will be called before any action is taken
- D. Any CPP can discontinue his participation at a given notice and hopefully two weeks in advance
 1. A replacement is possible if enough time is allotted.

Article IX

New CPP's benefits.

- A. One free week of riding is donated by the old CPP's before the new CPP is accepted into the program
- B. If there are two or more new CPP's they will drive in turn, one following the other, after the one free week.

Article X

Voting power.

- A. A period of three (3) months must expire before a new CPP has voting rights concerning any revisions of the articles prescribed
- B. If any matter should be of a delicate nature the oldest CPP members will have a caucus to attempt to remedy the situation

EXHIBIT I

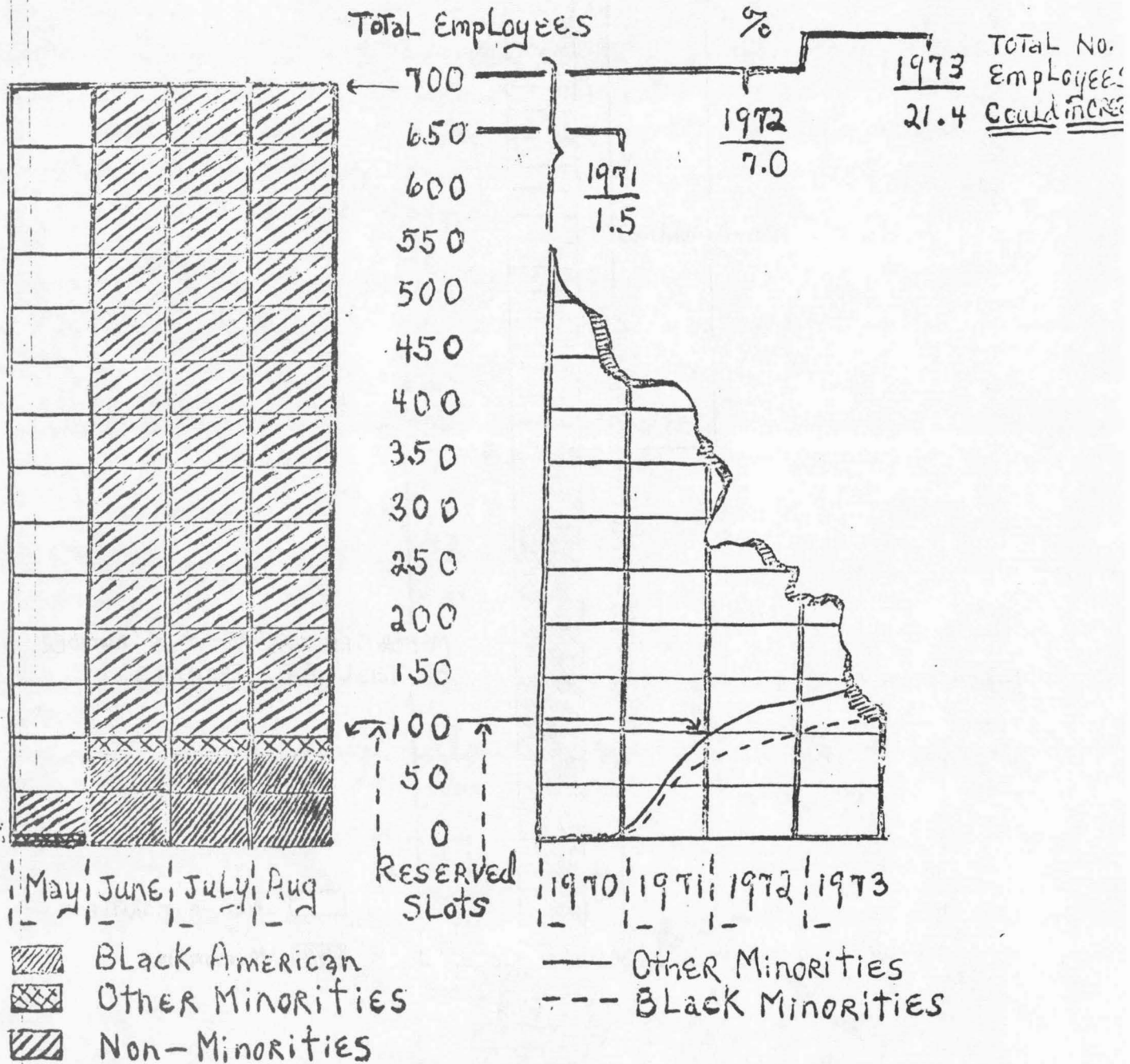
TIMETABLE CHARTS

Summer Employment
Engineer Aid Training
Permanent Employment

Projection--1973

Summer Employment Program--1972 Projection and Timetable Chart

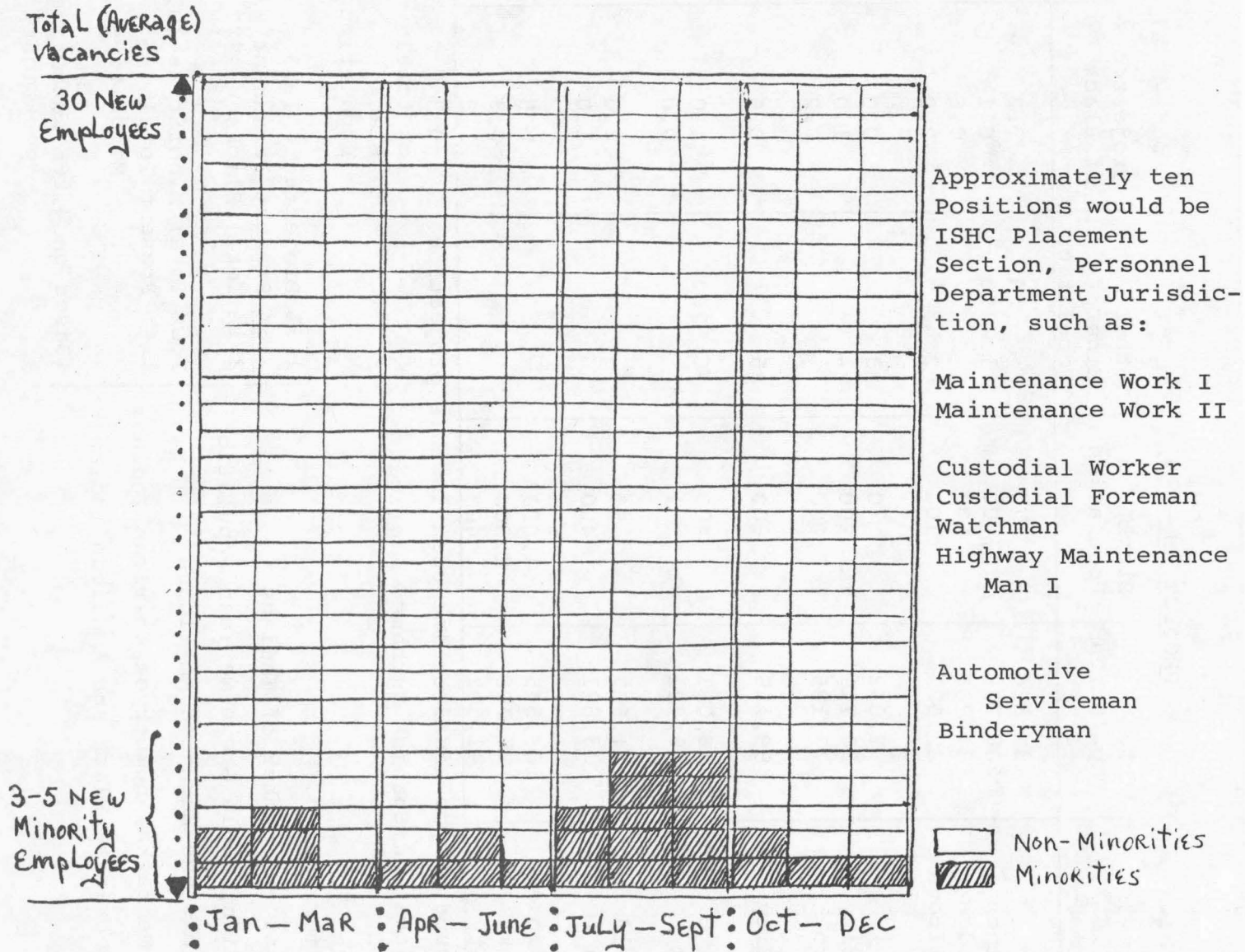
Our projection for the summer of '72 will not be confirmed until sometime after the first of the year--latter part of February or early part of March.



After the deadline of Monday-April 3, 1972, all reserved slots not filled or committed will be offered to non-minority app's from a stand-by list.

Permanent Employment--1972 Estimate Projection and Timetable Chart

The following information relating to Permanent Employment for the internal operations of the Iowa State Highway Commission will be of an tentative nature allowing for fluctuation.



Approximately twenty of the above positions would be under Merit Employment Department control--written test and T & E rating-- Minimum Passing Score: 70 (Division A & B)

More Minority group members are being scheduled to take the Merit test, therefore, in the future, more minorities will be registered and eligible for placements.

