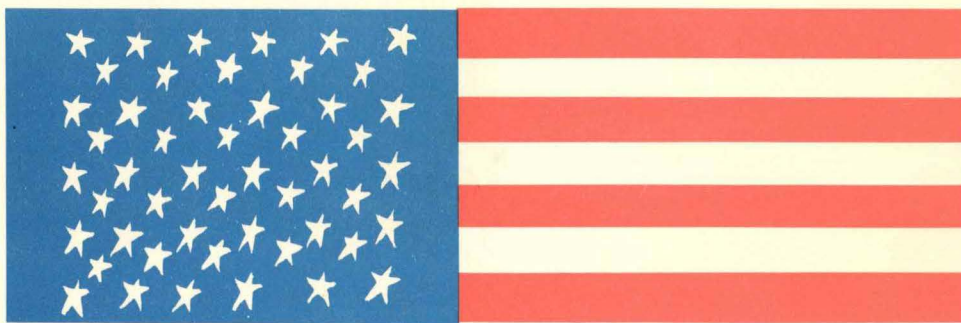


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CIVIL RIGHTS HANDBOOK

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F O R W A R D

The primary purpose of this handbook is to make the most pertinent Civil Rights and Minority Groups information all available in one place. Certain examples are given of various civil rights matters which have recently come up. Obviously, no two cases will be alike any more than any two people are alike. However, in an attempt to effect some uniformity of action in all E.S. offices, these examples should afford the E.S. employee with factual information regarding how some cases have been handled.

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DECEMBER, 1967

EMPLOYMENT SERVICE CIVIL RIGHTS HANDBOOK

Congress passed the Civil Rights Act of 1964, which has two parts called Title VI and Title VII for which ES is held accountable as regards employment service.

The Iowa State Legislature passed the Iowa Civil Rights Law of 1965.

In order that each and every person working for the Employment Service has a basic working knowledge of what is expected of him by way of his part in our compliance with Federal, State and ES requirements, this handbook provides guidance in sections outlining information and proper procedures. There are three sections in this handbook:

- (A) The effect and intent of the Federal Civil Rights Act of 1964 as it pertains to our ES efforts. An explanation of Title VI and VII so designed that any and every employee of Employment Service can feel confident that he or she does understand and know what to do when Civil Rights and Minority Groups situations arise.
- (B) An explanation of the Iowa Civil Rights Law of 1964, insofar as it affects our ES operation.
- (C) Procedures as required by ES.

A. Federal Civil Rights Act, 1964

Public Law 88-352 88th Congress became an effective law July 2, 1965. Two of 11 Titles definitely prescribe our ES role, duties and responsibilities. These are Title VI, Non-discrimination in Federally Assisted Programs, and Title VII, Equal Employment Opportunity. On July 2, 1967 this Act included all employers of 50 or more, and on July 2, 1968 will provide coverage for all those employers with 25 or more workers. (Note: In Iowa, we include employers down to 4 non-family full-time workers as included under the Iowa Civil Rights Law.)

TITLE VI

Our entire ES organization is included under Title VI, since we are an agency which in varied aspects uses or extends the use of Federal funds. The Chairman of the Iowa Employment Security Commission has also signed a compliance agreement; signed copies of which have been presented to all ES employees.

Nothing contained in Title VI should be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.

Basically, Title VI says that there must be no discrimination in any program or activity in which there is any Federal funding.

TITLE VII - EQUAL EMPLOYMENT OPPORTUNITY

This title defines the terms Person, Employer, Employment Agency with specific mention of inclusion of USES and the system of State and local employment services receiving Federal assistance. Also defined; Labor Organization, included if it provides the usual area of activities such as a plan in which employees participate in whole or part in dealing with employers as regards wages, rate of pay, hours, other terms or conditions of employment. Or if the organization maintains a hiring hall. Also prerequisite to inclusion is 50 or more members, since July 2, 1967 and 25 after July 2, 1968.

NOTE: Iowa law defines "Labor Organization" as 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.

We will see in Handbook Section B that Iowa Law is more encompassing than the inclusions provided by both Title VI and Title VII.

Also defined in Title VII; Employee, Commerce, Industry affecting commerce, State.

Exemptions Under Title VII

Title VII shall not apply to an employer with respect to the employment of aliens outside any State, or to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, or society of its religious activities or to an educational institution with respect to the employment of individuals to perform work connected with the educational activities of such institution.

The prime purpose of Title VII is covered in the heading of Section 703 under that Title of the Civil Rights Act of 1964.

It shall be unlawful in employment practice to effect discrimination because of race, color, religion, sex, or national origin. Further, this ruling against any such discrimination pertains to an employer, employment agency, labor organization and does include the area of Training Programs.

Excepted are bona fide occupational qualifications reasonably necessary to the performance in certain employment situations, i.e., a Rabbi wishes a Hebrew to teach Judaic Law in an instructional program. Or, a Catholic school expresses a desire to hire a Catholic layman to teach Catholic Doctrine.

In both these hypothetical samples, an institution of learning is directed toward the propagation of a particular religion. Further, these requests are reasonable and understandable.

Title VII in Relation to Training Programs

It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

Exceptions

Notwithstanding any other provision of this title,

(1) It shall not be an unlawful employment practice for an employer to hire and employ employees, for an employment agency to classify, or refer for employment any individual, for a labor organization to classify its membership or to classify or refer for employment any individual, or for an employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining programs to admit or employ any individual in any such program, on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise, and

(2) It shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion of such school, college, university, or other educational institution or institution of learning is, in whole or in substantial part, owned, supported, controlled, or managed by a particular religion or by a particular religious corporation, association, or society, or if the curriculum of such school, college, university, or other educational institution or institution of learning is directed toward the propagation of a particular religion.

As used in this title, the phrase "unlawful employment practice" shall not be deemed to include any action or measure taken by an employer, labor organization, joint labor-management committee, or employment agency with respect to an individual who is a member of the Communist Party of the United States or of any other organization required to register as a Communist-action or Communist-front organization by final order of the Subversive Activities Control Board pursuant to the Subversive Activities Control Act of 1950.

Any hiring which would constitute interference with requirements of National Security of the United States as provided in any security program or by any Executive Order of the President in relation to National Security may preclude the provisions of hiring provided in Title VII.

Basically, Title VII says and spells out that there shall be no discrimination in employment regardless of race, color, religion, sex, or national origin.

B. Iowa Civil Rights Law of 1965

Terms defined in the Iowa Civil Rights Law include: Court, Persons, Employment Agency (which does include the Iowa State Employment Service), Labor Organization, Employer, Employee and Commission.

The latter term refers to the Iowa Civil Rights Commission with which our administrative office maintains close liaison. Discrimination information originating in any of our E.S. offices is forwarded to the administrative office. These are investigated, reviewed and, if a possible discriminatory situation exists, presented to the Iowa Civil Rights Commission by the State Supervisor of Services to Minority Groups.

The Employment Service does not have the power to "... pass upon complaints alleging unfair or discriminatory practices." This is spelled out in the Iowa Law and is the prerogative of the Iowa Civil Rights Commission. It is important to attempt to alleviate any discriminatory job order placement as outlined in this handbook in Section C.

Basically, the Iowa Civil Rights Law of 1965, in terms of our E.S. operation, provides that there shall be no discrimination regardless of race, color, creed or national origin. This refers to our:

- 1) order taking
- 2) applicant referrals
- 3) availability of training opportunity
- 4) provision of any E.S. service being on an entirely equal opportunity basis
- 5) designating employers of 4 or more regular workers as covered under the law in Iowa.

C. Procedures as required by E.S.

In order to make clear the method for handling certain discriminatory or possibly discriminatory situations, some examples of situations which have come up in the past are outlined here. The names, of course, are not those actually encountered in E.S. operations.

1. Improper Job Order:

Local E.S. office receives a telephone job order. Mrs. John Doe requests interviewer, Miss Brown, to send her 2 or 3 applicants for waitress job in her X-Y-Z Cafe.

1. Improper Job Order continued:

Job pays \$65 per week. Interviewer, Miss Brown, knows that tips are low at that cafe and that it is located very near the railroad freight terminal. Starting hour is 5 A.M. and employee turnover is high.

Since the Meat Packing Company layoff, more than a dozen applicants are willing to take a \$65 week job, so Mrs. Midge Clarke is called for a referral. Mrs. Clarke agrees to report for an interview on Tuesday at the X-Y-Z Cafe at 10:30, between the breakfast and lunch rush times. On Wednesday morning Mrs. Clarke comes to the local E.S. office to see Interviewer, Miss Brown, who referred her. Mrs. Clarke says, "I was told I could not work at the X-Y-Z Cafe because the railroad men, who are 90% of the trade, would not eat at X-Y-Z Cafe if a Negro waitress was hired."

Interviewer Miss Brown reports this situation to her supervisor. He telephones the employer who does in fact insist that she will not hire a Negro waitress, "being concerned for her business." The supervisor advises the local office manager.

All at the local E.S. office should know that we must:

- a. Advise the job placing employer that we are obliged to follow Civil Rights Law and request Mrs. John Doe to remove the discriminatory requirement that the waitress she hires through our local E.S. office be required to be other than a Negro (or any non-performance job specification.)
- b. Determine if X-Y-Z Cafe has any chain affiliation or other employment basis so that total employees number 50 or more (after July 1, 1968 only 25 or more) so that the employer is covered under Federal Civil Rights Law.
- c. Preferably, the manager or his delegate, such as Employer Relations Representative, should call on the owners of the cafe at his premises for a face-to-face discussion to determine the true number of employees, as well as explain to the job placing employer that all E.S. offices are obliged to operate under the provisions of equal employment opportunity regardless of race, color, or national origin. Also the law affecting employers of 50 or more workers should be explained in cases of employers within the scope of Federal Law.

1. Improper Job Order continued:

We should also, in all Iowa E.S. offices, explain that employers of 4 or more regular workers are covered under Iowa Law, which requires equal employment opportunity regardless of race, color, or national origin.

In the case of X-Y-Z Cafe, it was soon learned that Mr. and Mrs. Doe employ only 3 workers so that they are not covered under the State Law, in this case. Service to that employer was discontinued since the employer would not change the discriminatory job requirement.

Because we are not permitted to participate in a discriminatory employment situation, E.S. service was discontinued even though there were not sufficient employees at the X-Y-Z Cafe for filing a formal complaint thru the State and Federal authorities.

Note: Mrs. Midge Clarke was found a better job at the new City Hospital where she received the same salary, \$65 per week, but was provided both free food server uniforms and laundry of her uniforms.

2. Illegal Employment Discrimination Based on Race:

The City Water Department, Sometown, Iowa, placed a job order at the local E.S. office. This city government division needed a combination receptionist-bill payment clerk, who must be bondable. Harry Chin, interviewer, calls in Wanda Fastarrow who is a member of the Sac and Fox Indian Tribe. Miss Fastarrow is both neat and experienced in a related field. She was a bank teller for a year after High School graduation.

Having called the City Water Department, Mr. Chin gives an E.S. introduction card to Wanda Fastarrow who is pleased to receive the referral. Upon reporting to Mr. Lock D. Dorr, Miss Fastarrow is told that, "I have nothing against Indians, but I'd not subject you to daily meeting the public. You see, many customers pay their water bill here four times a year. Frankly, you would find some people in this community bear a hostile attitude toward an Indian in a white collar job. I'm sorry."

2. Illegal Employment Discrimination Based on Race continued:

Wanda Fastarrow is not only disappointed, she is annoyed with an obviously discriminatory situation. She tells Interviewer Chin what Mr. Lock Dorr said to her. Mr. Chin telephones the job placing employer who confirms that he does not want to put Wanda Fastarrow in a position dealing with the public, some of whom might embarrass her. Interviewer Chin explains that the State Employment Service cannot at all serve the City of Sometown if the discriminatory provision Mr. Lock Dorr has made is not withdrawn, i.e., a qualified job applicant is refused employment because she is an Indian.

Mr. Lock Dorr does not go along with the hiring of a qualified Indian. Interviewer Chin immediately advises his supervisor, who is the local office Asst. Manager.

The procedure the Asst. Manager followed was: He called the Employer Relations Representative and Mr. Chin into his office. The situation was explained to the ERR, mainly by Harry Chin who had attempted by telephone to have the refusal to hire an Indian changed. The Asst. Manager asked the ERR to make a personal call at the City Water Works to explain that under Title VII of the Civil Rights Act of 1964, it was illegal for our E.S. office to serve the City of Sometown unless they would accept any qualified applicant regardless of race, color, creed, sex, or national origin.

The Water Works office manager refused to see the ERR. However, Mr. Smight has been both an ERR and a resident of Sometown for quite a few years. He knows nearly every employer and remembers that the City Water Department has a General Manager who is directly responsible to the City Council. Mr. Smight calls on the General Manager, Harold Blank. Mr. Blank, upon being briefed on the situation said, "There must be some mistake, we definitely do not maintain a policy of discrimination." Mr. Smight, local E.S. office ERR, agrees that there must be some mistake. Mr. Blank promises to talk to Lock Dorr in the morning to "get his story."

The following day Mr. Dorr telephoned interviewer Chin to advise that, "I have checked on Miss Fastarrow who lives on the Indian Settlement and is not a resident of Sometown." He also advised that City policy was not to hire non-residents, if a resident could be found. Further he cancelled the job order since he had found a Sometown resident for the position.

2. Illegal Employment Discrimination Based on Race continued:

In view of the situation which existed wherein Mr. Lock D. Dorr had never agreed to remove the discriminatory requirement that the receptionist-payment clerk be other than an Indian, service to the City of Sometown was stopped by the local office Asst. Manager. A report to the Administrative Office was made. The E.S. Director asked the State Supervisor of Services to Minority Groups to handle the case.

The Director of the Iowa Civil Rights Commission was apprised of this case. Following a Civil Rights investigation, the Mayor of Sometown agreed to rectify the situation immediately. Another City job was offered Miss Fastarrow if she would move within the city limits of Sometown. However, Wanda Fastarrow had already taken a bank teller position and was earning the same salary the City offered but with more convenient hours.

3. Discrimination Based on Sex:

The manager at a busy bus terminal phoned the local E.S. office placing a job order for a sales person to both sell bus line tickets and announce arrivals and departures. With much to learn, the job paid well. This position had always been held by a female worker. The interviewer had, at the time she received the job order, a young man fully qualified right at her desk. She referred this applicant who was able to walk right over to the bus depot.

The bus terminal manager was "not about to hire a man for this female job." The applicant returned that same day to see the interviewer. He explained that he would like to have the job, but was refused since the manager preferred a lady for that particular job.

The interviewer called the matter to the attention of her supervisor. The supervisor phoned the bus terminal manager who verified that "you can send all the men for this job that you want, but I'm the manager and I'll hire who I please."

Thus what appeared as a small issue actually involved the referring E.S. local office and an interstate carrier, nationally employing thousands, in a definite violation of Title VII of the Civil Rights Act of 1964.

3. Discrimination Based on Sex continued:

Having unsuccessfully attempted to rectify the situation on the telephone, the interviewer's supervisor took the matter up with the office manager. He quickly appreciated that what appeared to be perhaps a relatively trivial matter to the bus terminal manager could become a serious and involved matter for the bus company. This was because the company, unless this particular manager backed off his sex discrimination stand, was in violation of Federal law. Among the possible consequences was the refusal of all state employment offices (in all states) to serve this nationwide company; also Federal prosecution with its attendant complications.

The matter was made known to the State Supervisor of Services to Minority Groups who made an appointment to visit the bus terminal manager. The terminal manager contacted his company's home office legal counsel. The bus company attorney advised the manager that "like it or not, it's the law of the land, and you'd better immediately withdraw your discriminatory specification." At that point, the manager upgraded one of his own male workers. He very courteously received the Supervisor of Services to Minority Groups and readily acknowledged he had made a non-performance employment specification. This was cancelled as a job requirement and since he had promoted from within his organization, the job order was cancelled. He was glad to have E.S. service continued. The male applicant was found another job at the same rate of pay.

Note: Because this case was diplomatically handled by the E.S. personnel involved, this employer is now actually a booster of E.S. service.

Sex discrimination is not covered under Iowa law, but it is under Federal law. One or more of the following are necessary to enforce provisions of Title VI and Title VII; 50 or more employees, government funding, or the holding of a government contract. However, we are not permitted to participate in discrimination in employment, so will discontinue service even in cases with less than the State (4) or Federal (50) specified number of employees. Such a case calls for a report to the Administrative Office.

4. Illegal Discrimination, Race:

In a small city immediately adjoining one of the State's largest cities, an independent dry cleaner establishment operated by a husband and wife team with seven other workers had need for a presser. Placing a call to the local E.S. office, Mr. Stonewall was told that an experienced presser-spotter would be available but that the applicant required \$2 an hour or \$88 per week based on a 44 hour work week.

Mr. Stonewall, the job placing employer, agreed to pay \$2 an hour and told Miss Jackson, the E.S. interviewer, to send the applicant over as early as possible as he was short one presser at each of his two locations and thus felt it urgent to hire a qualified presser right away.

Interviewer Jackson, after calling in job applicant, Willy Jones, made the referral to Stonewall cleaners.

Immediately upon arrival at Stonewall Cleaners, Mr. Jones, a Negro, was advised by Mrs. Stonewall that "there must be some mistake, she would not be able to hire Willy Jones." Mr. Jones reported back to the local E.S. office. He advised that he was turned down for employment and suspected it was because of his being a Negro.

Interviewer Jackson alerted her supervisor of the situation. Mr. Jones was referred to Huge Hotel which had a dry cleaning facility among the main floor shops. They needed a presser - spotter and he was hired at \$2 an hour.

The supervisor phoned Mr. Stonewall who had originally placed the job order. Mr. Stonewall said, "I have nothing against Negroes, in fact some of my best customers are Negroes, but I'm afraid my other employees would walk out if I hired the man, Willy Jones, that you sent over. Why don't you send over some other applicants."

The supervisor diplomatically explained that in Iowa, the Civil Rights Law of 1965 covered employers of 4 or more workers, so that we would:

4. Illegal Discrimination, Race continued:

- a) Not be able to serve him unless he withdrew his refusal to hire workers of all races, basing employment on qualifications.
- b) Be obliged to report the discriminatory situation through the Administrative Office in Des Moines to the Iowa Civil Rights Commission.

Unfortunately, Mr. Stonewall did not back off his discriminatory stand and after a personal visit by the Employer Relations Representative, the matter was reported to the E.S. Administrative Office. There it was determined that the employer did have seven employees, was covered under the State law, and a report was taken by the State Supervisor of Services to Minority Groups to the Executive Director of the Iowa Civil Rights Commission.

The Iowa Civil Rights Commission assigned the matter for investigation to one of their regular staff members. He called first at the local E.S. office and gaining information from our E.S. staff, left for a personal visit at Stonewall Dry-Cleaners. Upon private interview with Mr. and Mrs. Stonewall, it was agreed that there would be no discriminatory job specification, that if a qualified Negro was referred they would hire the applicant. The local office was advised to restore service to the Stonewall Dry-Cleaners, and the case was closed.

Note: Important in handling this case, which like nearly every Civil Rights matter necessitates a high level of tact, was a firm and correct attitude on the part of E.S. personnel that we are obliged to perform our duties under the provisions of both Federal and State laws which expressly forbid discrimination.

Effective September 1, 1967, the Employment Security Manual in Part II, #1294, outlined the tenets of Title VI. There is also clearly spelled out the handling of:

Orders From Employers Concerning Whom There is Evidence or Information
That They Discriminate by Race, Color, or National Origin

When such information is received by a member of a local office staff, he must immediately inform the manager or supervisor of it. Then the manager or supervisor will have the active order files checked to see if the employer involved is receiving service from the office. If he is, a review of prior referrals to him must be made to determine whether there is evidence of possible discriminatory rejection of applicants and local office follow-up should be made in terms of referral review.

Orders Containing Discriminatory Specifications as to
Race, Color, or National Origin

A specification that an employer does or does not want or prefers applicants of a particular race, color, or national origin is a specification which discriminates on the basis of these factors. However, an order specifying that applicants be American citizens shall not be considered discriminatory if the specification is based upon a legal requirement of citizenship for workers in certain jobs or situations. If a specification is designed to exclude, or results in the exclusion of, applicants of a particular race, color, or national origin, it is also a specification discriminating on the basis of these factors, even though the factors are not expressed.

When an employer gives an order containing a specification which discriminates with respect to the above-named factors, the order-taker will record on the job order from that specification as well as the information necessary to fill the order. The order-taker will then advise the employer that the Civil Rights Act of 1964 and employment service policy prohibit the selection and referral of applicants on the basis of race, color, or national origin. In Iowa, which has a fair employment practice law, the order-taker will call the employer's attention to that law also, and inform him that the law prohibits the Employment Service from filling the order. Those employers who are subject to Title VII of the Civil Rights Act or to State or local fair employment practice laws should be reminded of their obligations under these statutes. Employers having Federal contracts or other governmental contracts containing nondiscrimination provisions should be reminded of their obligations under those provisions.

The order-taker, also, will attempt to persuade the employer to withdraw the discriminatory specification and to hire workers solely on the basis of their qualifications to perform jobs. If the employer withdraws the discriminatory specification, the order-taker will write "withdrawn" in red across the entry of the specification on the order form and enter in red below the notation, his initials and the date. The order may then be filled. However, the order shall be called to the attention of the manager or supervisor, who will follow up on that and subsequent orders of the employer to review the results of referrals to ascertain whether the employer is discriminating in his hiring practices. The employer's name should be posted on the Followup Schedule. If the employer refuses to withdraw the discriminatory specification, the order-taker will inform him that the local office cannot make referrals on that or any other order placed by him until the discriminatory specification is withdrawn, and that the local office is required to report his discriminatory order to appropriate fair employment practice authorities, if he is subject to such laws or regulations. The order-taker will immediately bring the discriminatory order to the attention of the manager or supervisor.

Upon a manager or appropriate supervisor being advised as above, that an employer has refused to withdraw a specification which discriminates on the basis of race, color, or national origin, he will notify all local office staff that referral and all other services to the employer are suspended until the employer gives management assurance that he will not discriminate in hiring workers. (If the employer may obtain services from other employment service offices, notify the E.S. Director.)

The local office manager or his delegate, in cases of refusal by an employer to remove discriminatory specification, will immediately arrange a visit with the employer. Management will then follow the procedure of 1294, E.S. Manual, paragraph 1.

All new orders received, if the employer insists in continuing a discriminatory job specification, shall be cancelled, with a notation of the cause, until assurance of nondiscrimination is received from the employer. The employer's name will be posted on the Control List.

The local office manager will send a report outlining the details to the E.S. Director, who in turn will notify the appropriate authority.

Details should include:

- 1) Employer

- 2) Address
- 3) Occupational Classification
- 4) Discriminatory Specification
- 5) Number of employees, or if a chain operation, Federal contract holder, etc.
- 6) Statement of outcome of management contact with the employer, date service discontinued, if so.

Orders from Employers Requesting Minority Workers

Employers may request the referral of applicants of a particular minority group with the statement that they wish to provide equal employment opportunity, increase such opportunity for these persons, or comply with nondiscrimination provisions of governmental contracts or directives of a fair employment practice authority. When such orders are received, the order-taker will record the discriminatory specification and the employer's reason along with other necessary information on the order form. He then will inform the employer that the local office cannot refer applicants on such an order, explain the law and policy applicable to discriminatory orders, and request him to withdraw the discriminatory specification. If the occupation for which minority workers have been requested is one not traditionally reserved for such workers, the employer may be informed that if he withdraws the specification, the local office will make an effort to include workers belonging to the group in which he is interested among those qualified applicants referred to him, and that the local office will make a special effort to recruit them if they are not readily available.

If the employer withdraws the discriminatory specification when seeking minority workers in occupations in which it is difficult to find such qualified workers, suggestions may be made to the employer concerning training minority workers, particularly through OJT, or making practical changes in job content in order to utilize available minority workers.

Minority Groups Section of "Interviewer's Handbook" U.S. Dept. of Labor, March 1967

A minority group is any group of people whose members are discriminated against by the dominant groups because of race, color, creed, or national origin. E.S. policy prohibits the referral of

applicants, (a) to employers who are known to have discriminatory hiring practices, and (b) on job orders which contain any discriminatory specifications with regard to race, creed, color, or national origin. Applicants must be referred to job openings and training opportunities solely on the basis of their occupational qualifications or suitability for training (Manual Sections 8100 - 8199). Titles VI and VII of the Civil Rights Act of 1964 also require E.S. to provide all services without discrimination and not to refer an applicant to employment or training on the basis of his race, religion, color, national origin, or sex.

Thus, in selecting or referring applicants, the local office may not follow the traditional racial employment patterns of the community or what are believed to be the hiring preferences of individual employers.

Discriminatory hiring practices frequently have restricted the employment opportunities of minority-group workers to traditional service and unskilled jobs. In selecting minority applicants for referral, particularly those classified in low-skilled occupations, emphasis should be placed on the education, knowledge, and potentialities of the applicants, rather than on their restricted prior employment. Interviewers should be alert to recognize the qualifications of such applicants for higher skilled occupations and should assign classifications for such occupations or route the applicants to the appropriate point in the office for such assignment. Intensive efforts should be made to refer applicants whose work history indicates that they have been under-employed to jobs in line with their highest qualifications.

If an applicant feels that an employment agency, labor union, or employer has discriminated against him because of his race, creed, color, national origin, or sex, he should be shown the Title VI or Title VII poster (which must be displayed in all employment security offices), and he should be advised to send his complaint to the agency indicated on the appropriate poster, or to a State or local fair employment practice agency, if one exists.

Note: Information regarding possible discriminatory situations should be sent by the local E.S. office to the E.S. Director, as indicated in E.S. Manual, Part II, 1294, paragraph 2.

To be covered under Iowa law, the employer must have 4 or more regular employees. If the employer is involved in a discriminatory employment situation not resolved at the local office level (example: employer removes a discriminatory job specification),

a report to the E.S. Director is required. Such cases wherein the number of employees is 50 or more (after July 1, 1968 - 25 or more employees) will be covered under the Federal law. If discriminatory provisions are not removed, proper State and Federal authorities will be notified by the Administrative Office after receipt of the written report by the local office manager.

GUIDELINES FOR LOCAL E.S. OFFICE MANAGERS
AND FIELD SUPERVISORS IN EVALUATING THE EFFECTIVENESS
OF THE LOCAL OFFICE CIVIL RIGHTS PROGRAMS

Provided in "Interstate Conference of Employment Security Agencies" Report of July 1967 by Lila Doar, Equal Employment Opportunities Consultant, USES.

Premises and Facilities. Are there any indications of discrimination and are all required posters displayed?

(Discrimination is Prohibited. GPO: 1966 - 218 - 692)

Local Office Organization. Do all units service all applicants?
Is there a labor pool?

Reception. Are all applicants treated alike? Is there any unnecessary waiting at the reception point?

Recruitment. Are minority groups included in most occupations?
Is local office outreach effective?

Application Taking. Are all applications completed under the same standards? Is service being given to minority applicants to the extent that minority people make up the population of the area?

Interviewing. Are classifications assigned that reflect the training and/or experiences of the applicant? Are assignments of highest skill code made by interviewers? Are these assignments of codes ever checked by management or field supervisors or both?

Counseling. Are minority groups counseled in line with their greatest potential? Are those needing counseling being recognized?

Order Taking. Are minority group applicants referred, and are discriminatory orders handled properly? Do any job orders show signs of discrimination? Are non-hires of non-whites thoroughly investigated for possible discrimination?

Placement. Are minority group applicants being referred and placed without regard to race, creed, or color?

Promotion of Equal Employment Opportunity. Does the local office promote equal employment opportunity in the community, and has the local office made an effort to obtain openings from Plans for Progress employers?

School Program. Are minority group applicants classified according to skills and abilities? Have minority group students been encouraged to register for part-time, summer, or career employment?

Other Special Programs. Are YOC and Apprenticeship Information Centers operating in a non-discriminatory manner? Is recruitment, selection and referral for NYC and Job Corps being carried out in a non-discriminating manner?

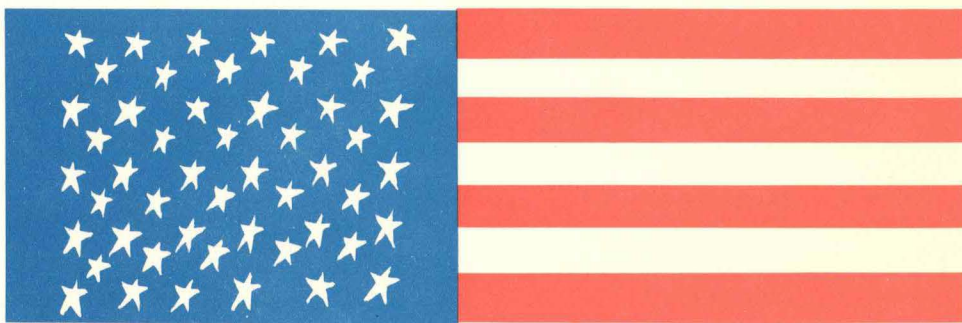
Local Office Minority Group Relations. Has the local office established and maintained fruitful cooperative relations with minority group organizations, such as the Urban League, Human Relations Commission, NAACP, CORE, churches, Community Action Programs, etc.?

In addition to the above considerations recommended by Mrs. Doar, the following should be included in minority service evaluation:

- A) A review of all of the 511's designated NW (non-white) should be made when the total available at the local E.S. office is less than 50. When the total of 511's designated NW exceeds 50, use a random sampling of 50 for review. Then a like number of 511's not designated NW should be selected in a random sampling and reviewed and compared in terms of the placement results. Is there a like and consistent pattern of results?
- B) Are minority members in evidence as job or training applicants in proportion to the non-white population in the area served?

- C) Is counseling used as further assessment in cases of evident need, for employment assistance beyond referral only?
- D) Follow up in terms of minority members remaining on the job. A month after referral and confirmed placement, are the workers still on the job? Is there a systematic follow up of employers whose job orders reflect repeated NH (non-hire) of minority group applicants?

DATE DUE



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