

STATE OF CALIFORNIA, RONALD REAGAN, GOVERNOR
AGRICULTURE AND SERVICES AGENCY, JAMES G. STEARNS, SECRETARY
DEPARTMENT OF INDUSTRIAL RELATIONS, H. EDWARD WHITE, DIRECTOR
DIVISION OF FAIR EMPLOYMENT PRACTICES, ROGER A. TAYLOR, CHIEF

CONTRA COSTA COUNTY

THE CALIFORNIA FAIR EMPLOYMENT PRACTICE COMMISSION

AN INVESTIGATION UNDER SECTION 1421
OF THE CALIFORNIA LABOR CODE

C. L. DELLUMS, COMMISSIONER
L. E. BEANE, AFFIRMATIVE ACTION CONSULTANT

OCTOBER, 1973

STATE OF CALIFORNIA
AGRICULTURE AND SERVICES AGENCY
DEPARTMENT OF INDUSTRIAL RELATIONS
FAIR EMPLOYMENT PRACTICE COMMISSION

PIER GHERINI, CHAIRMAN
C. L. DELLUMS
DONALD D. DIERS
MARK GUERRA
CATHERINE MONTGOMERY
STELLA SANDOVAL
J. M. STUCHEN

COMMISSIONERS

ROGER A. TAYLOR
EXECUTIVE OFFICER

OFFICES

455 GOLDEN GATE AVENUE, SAN FRANCISCO 94102

322 W FIRST STREET, LOS ANGELES 90012

2550 MARIPOSA STREET, FRESNO 93721

926 "J" STREET, ROOM 211, SACRAMENTO 95814

1350 FRONT STREET, SAN DIEGO 92101

I. INTRODUCTION

In May, 1972, the California Fair Employment Practice Commission was requested to investigate the employment practices of Contra Costa County. The request came in the form of letters to the Commission from the Pittsburgh chapter of the National Association for the Advancement of Colored People, the United Council of Spanish Speaking Organizations, Inc., the Central Labor Council, and several other organizations in Contra Costa County.

During the last several years, numerous individual complaints had been filed with FEPC against the County. In 1968-1969, the County-sponsored Hernandez Survey had indicated gross discrimination in some areas of County employment. A County grand jury had called the attention of the Board of Supervisors to the same problem in 1971. Minority organizations also said that the County was obligated to equal employment and affirmative action because of the millions of dollars in contracts and projects the Federal Government had in the County.

Section 1421 of the Fair Employment Practice Act empowers the Commission to prevent unlawful employment practices. It further provides that an investigation be undertaken when it appears to the Commission that an unlawful employment practice may have been committed. The purpose of the investigation is to determine what, if any, action is warranted by the Commission to eliminate such practices. This has been interpreted to include remedying the effects of past discrimination as well as eliminating current practices which, by intent or effect, are detrimental to minorities and females.

The Commission authorized the investigation of the employment practices of the County at its August 3, 1972 meeting in San Francisco. C. L. Dellums was placed in charge of the investigation and Jerry Malugeon and L. E. Beane were assigned as his staff.

The investigation was conducted through interviews with a wide variety of persons throughout the County. Included were the County Administrators, the Director of Personnel, and their staffs ; the Chairman of the Board of Supervisors ; County employees ; trade union officials, and citizens. Various personnel records were reviewed along with other files and pertinent data. An employee survey was obtained and is included in this report. Statistical data was provided primarily by the Personnel Department.

II. OVERVIEW

Contra Costa County was one of the original 27 counties founded by the legislature in 1850, with Martinez, gateway to the goldfields of the Mother Lode, the County seat. The County is one of the leading industrial counties of the state. Its private sector expanded very rapidly during World War II and so did the public sector, to furnish services to the thousands who migrated here to work during and after the war.

The County covers an area of some 700 square miles. The western and northwestern peripheries are heavily industrialized and the delta region has many large farms, thus furnishing a good tax base to support County government.

The 1970 census of the U.S. Department of Commerce places the total population of the County at 558,389 of which 274,758 or 49.2% were male and 283,631 or 50.8% were female. The ethnic breakdown is 53,100 Spanish-Surname; 41,000 Negro; 7,068 Oriental; 7,290 Other non-White; and 449,311 Caucasians. Table 1, which follows, sets these figures out, as well as their percentage of County population.

TABLE 1

CONTRA COSTA COUNTY POPULATION

TOTAL	558,389	(100.0%)
MALE	274,758	(49.2%)
FEMALE	283,631	(50.8%)

<u>GROUP</u>	<u>TOTAL</u>	<u>PERCENTAGE</u>
Spanish Surname	53,100	9.5
Negro	41,620	7.5
Oriental	7,068	1.2
Other Non-White	7,290	1.3
Other Caucasian	449,311	80.5

Most of the minorities in the County live in the Richmond or the Pittsburgh area.

The services of the Contra Costa government are divided into three regions for administrative purposes. These are shown below by workforce percent and population percent for Blacks, Spanish-Surname and other minorities.

WORK FORCE BY PERCENT OF POPULATION
BY REGIONAL LOCATION

<u>AREA</u>	<u>BLACK</u>		<u>SPANISH SURNAME</u>		<u>OTHER MINORITIES</u>	
	Work Force	Popu- lation	Work Force	Popu- lation	Work Force	Popu- lation
WEST	15.8	18.0	2.0	10.0	3.3	3.5
CENTRAL	4.7	.3	2.6	6.0	1.9	1.5
EAST	5.6	7.8	6.3	19.4	1.7	3.0

III. CONTRA COSTA COUNTY AND MINORITY EMPLOYMENT

As of August 31, 1972, the County had a total of 5,275 workers. The ethnic breakdown of the work force was as follows:

TABLE 2

EMPLOYMENT OF MINORITIES IN CONTRA COSTA COUNTY

	NEGRO	ORIENTAL	OTHER NON-WHITE	SPANISH SURNAME	OTHER CAUCASIANS
TOTAL	391	61	57	151	4,615
% of County Employment	7.4	1.2	1.07	2.9	87.5
% of Population	7.5	1.2	1.3	9.5	80.5

A comparison of the ethnic breakdown for Contra Costa County with actual County employees indicates about population parity for Negroes, Orientals, and other Non-Whites. However, there is a very serious underutilization of Spanish-Surname people. While the proportion of Spanish-Surname persons in the County is at least 9.5%, the percentage in the employ of the County is only 2.9%.

When the salary levels are charted, it becomes clear where most of the County's minorities fall. This is noted on table 3.

TABLE 3

COUNTY EMPLOYEES BY SALARY LEVEL CATEGORIES

NO.	SALARY LEVEL	TOTAL	WHITE		BLACK		SPANISH SURNAME		ORIENTAL		OTHER NON-WHITE MINORITIES	
			Total	%	Total	%	Total	%	Total	%	Total	%
1	Up to \$500	464	415	89.2	23	4.9	22	4.7	3	.6	1	.2
2	\$600 - \$699	976	735	75.3	171	17.5	49	5.0	3	.3	18	1.8
3	\$700 - \$799	778	688	88.4	64	8.2	15	1.9	8	1.0	3	.3
4	\$800 - \$899	282	242	85.8	20	7.0	16	5.6	1	.3	3	1.0
5	\$900 - \$999	531	463	87.1	36	6.7	17	3.2	9	1.7	6	1.1
6	\$1,000 - \$1,199	1,247	1,144	91.7	43	3.4	26	2.0	18	1.4	16	1.2
7	\$1,200 - \$1,399	606	564	93.0	21	3.4	4	0.6	14	2.3	3	.4
8	Over \$1,400	392	365	93.1	13	3.3	2	0.0	5	1.2	7	1.7
TOTALS			4,620		391		151		61		57	

TABLE 4

THE EMPLOYMENT OF MINORITIES BY DEPARTMENTS

COUNTY DEPARTMENT	TOTAL EMPLOYEES	August 31, 1972						
		WHITE	BLACK	SPANISH	ORIENTAL	FILIPINO	POLYNESIAN	AM. INDIAN
Administrator	27	25		2				
Agriculture	74	71		2				1
Ag. Extension	3	2				1		
Assessor	151	145		4	2			
Auditor	147	140	1	1	3	1		1
Bldg. Inspection	40	40						
Civil Service	45	43			1	1		
Clerk/Recorder	79	76			1		1	1
County Counsel	20	19						1
Disaster Office	10	10						
District Attorney	92	87	1	2	1		1	
Economic Opp.Off.	19	12	6	1				
Human Resources								
Health	261	218	25	5	10			2
Hospital	780	574	145	30	8	9	1	11
Social Svc.	1417	1239	103	45	20	6		4
Jury Commissioner	8	8						
Justice Courts	5	5						
Library	257	248	2	3	4			
Municipal Courts								
Mt. Diablo	27	26				1		
Richmond	23	22			1			
River	12	11		1				
WC-Danville	25	24		1				
West	18	16		1				1
Planning	40	36		2	1			1
Probation	343	291	43	6	3			
Public Defender	45	44	1					
Public Works	492	412	48	24	5	1		1
Schools	13	13						
Sheriff	367	343	11	9	1	1		2
Treasurer-Tax Col.	35	34		1				
Veterans Service	7	7						
<hr/>								
CDC Water Agency	3	3						
Cc. Fire Districts	360	350		8				2
PEP (EEA)	30	21	5	3		1		
<hr/>								
TOTAL	5275	4615	391	151	61	22	3	25
%		87.5	7.405	2.859	1.155	12.500	1.079	7

TABLE 4 shows in what departments the minorities are employed. It will be noted that they are concentrated in Human Resources, Public Works and Probation. No minorities are employed in Building Inspection, Disaster Office, Jury Commissioner, Justice Courts, Schools, Veterans Services, and the Contra Costa County Water Agency. In addition, the following departments employ no Negroes: Administrator, Agriculture, Assessor, Auditor, Civil Service, Clerk Recorder, County Counsel, Justice Courts, Planning, and Treasurer-Tax Collector. No Spanish-Surname individuals are employed by the following: Agricultural Extension, Civil Service, Clerk Recorder, County Counsel and Public Defender. For Orientals the deficient departments are Administrator, Agriculture, Agricultural Extension, County Counsel, Economic Opportunity Office, Public Defender and Treasurer-Tax Office.

The municipal courts are a special problem. In this sensitive area, of 105 employees, all but 6 were Anglo-Caucasian. No Negroes were employed in any of the five courts, including the one in the City of Richmond which has a 36.5% Black population.

While the jobs funded by the Emergency Employment Administration are not included in the survey because they are temporary positions and not County-funded, this program was set up to ease unemployment in the ghettos and barrios to provide training and exposure for these youth. Of the total 30 Emergency Employment Administration-funded jobs, 21 were held by Anglo-Caucasians, 5 by Blacks, 3 by Spanish-Surname people, and 1 by a Filipino.

A word about minorities in supervisory positions. There are more than 370 supervisory positions in County government. Of these, 51 or 13.7% are held by minorities. In some departments, particularly in the Richmond area, minorities have been employed for a long time. Yet of the more than 370 positions, only 28 or 7.5% were held by Blacks, and 10 each by Oriental and Spanish-Surname persons, or 2.7% each.

ORGANIZATION FOR LOCAL GOVERNMENT

Contra Costa County, California

April, 1972

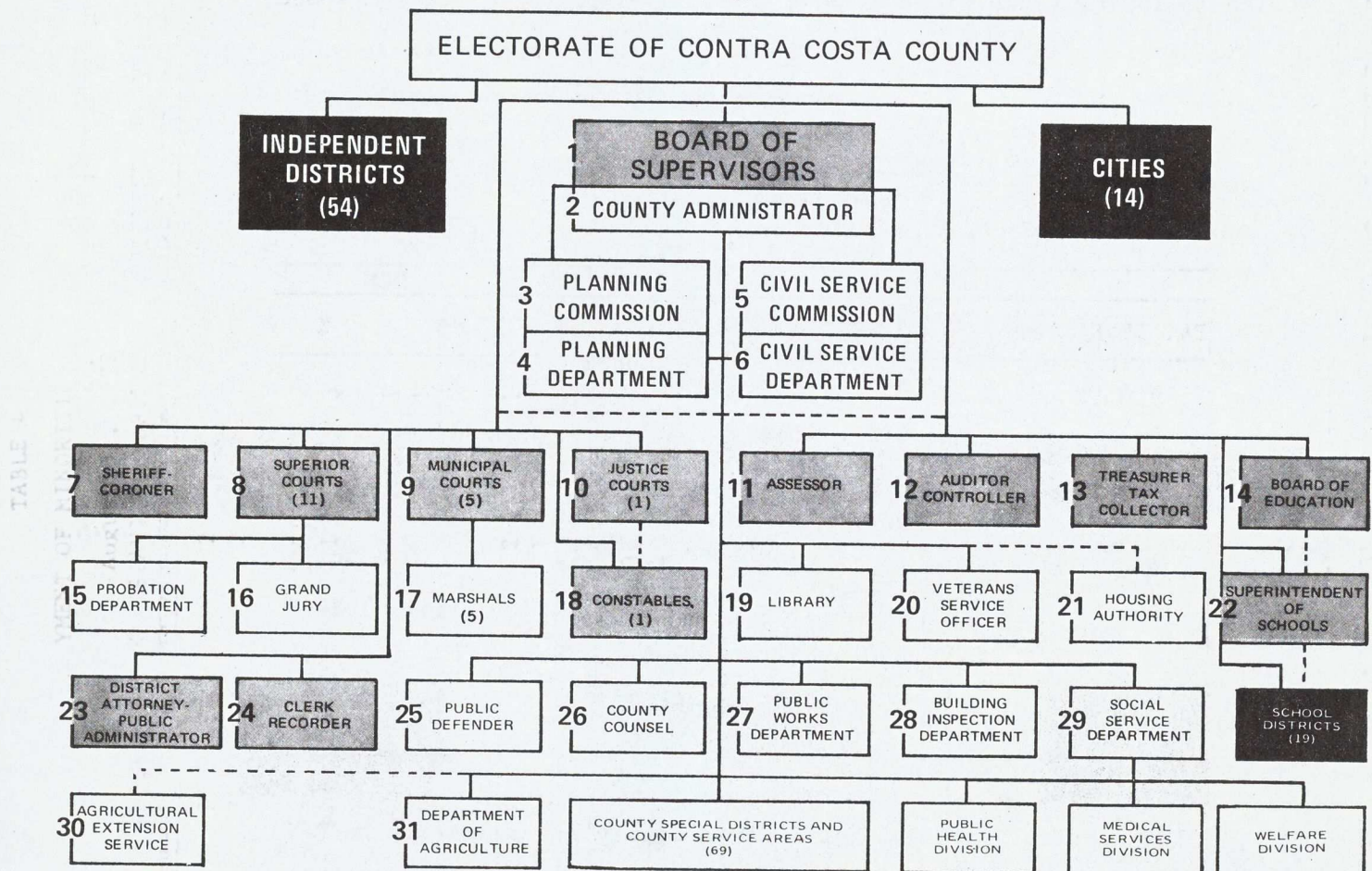


Table above is an organizational chart of Contra Costa County and sets out the administrative relations of the various departments and makes graphic the sources of employment.

IV. CONTRA COSTA COUNTY AND FEMALE EMPLOYMENT

Females make up 50.8% of the County population and comprise 57.2% of County Employment.

The following table gives a salary breakdown for both men and women.

TABLE 5

PAY LEVELS FOR WOMEN AND MEN
December 13, 1972

PAY LEVEL NO.	RANGE	WOMEN		MEN	
		NO.	%	NO.	%
8 & up	\$1,400 +	50	12.6	346	87.4
7	1,200 - 1,399	230	38.0	376	62.0
6	1,000 - 1,199	372	29.3	875	70.7
5	900 - 999	348	65.5	183	34.5
4	800 - 899	138	48.9	144	51.1
3	700 - 799	590	75.8	188	24.2
2	600 - 699	894	89.5	102	10.5
1	000 - 599	420	90.5	44	9.5

The clerical jobs in Contra Costa County are primarily in Pay Levels 1 and 2, or jobs paying less than \$700 per month. One thousand two hundred ninety-four (1,294) or 89.8% of all women employed by the County worked in these categories but only 146 or 10.2% of all men. On the other hand, in the four top pay levels, paying from \$900 to \$1,400 and up per month, there were 1000 women or 36 % of all persons in these pay classes.

There were 880 men or 64 % in these same classes. The preponderance of women in these classes can be explained by the fact that Contra Costa County employs a large number of professional women in the Social Service Department, Health Department, Hospitals, Schools, Probation Department, and the Library.

The pattern of female utilization is good in some departments:

Health	79.6%
Hospital	76.2%
Social Service	82.5%
Library	87.5%
Probation	49.2%
Schools	84.6%

In other departments women are still in stereotype jobs:

Agriculture	18.9%
Assessors	29.1%
Building Inspectors	25.0%
Public Works	12.1%

TABLE 6 shows the employment of women by department according to number and percentage.

Many political jurisdictions in California have modified their regulations relating to pregnancy to comply with the Equal Employment Opportunity Commission guidelines, since state, county, and city governments were brought under the Equal Employment Act in the spring of 1972. Not so with Contra Costa County; their procedures still will not allow sick leave to be used for pregnancy, and other restrictions on pregnancy are in violation of federal guidelines.

TABLE 6

EMPLOYMENT OF FEMALES BY DEPARTMENT

COUNTY DEPARTMENT	EMPLOYEES	S E X			
		Male	%	Female	%
Administrator	27	10	37.0	17	62.9
Agriculture	74	60	81.0	14	18.9
Agric. Extension	3			3	100.0
Assessor	151	107	70.8	44	29.1
Auditor	147	61	41.4	86	58.5
Building Inspection	40	30	75.0	10	25.0
Civil Service	45	19	42.2	26	57.7
Clerk/Recorder	79	18	22.7	61	77.2
County Counsel	20	13	65.0	7	35.0
Disaster Office	10	6	60.0	4	40.0
District Attorney	92	50	54.3	42	45.6
Economic Opp. Off.	19	4	21.0	15	78.9
Human Resources					
Health	261	53	20.3	208	79.6
Hospital Med. Svc.	780	185	23.7	595	76.2
Social Service	1,417	248	17.5	1,169	82.5
Jury Commissioner	8	2	25.0	6	75.0
Justice Courts	5	2	40.0	3	60.0
Library	257	32	12.4	225	87.5
Municipal Courts					
Mt. Diablo	27	7	25.9	20	74.0
Richmond	23	7	30.4	16	69.5
River	12	3	25.0	9	75.0
WC-Danville	25	7	28.0	18	72.0
West	18	5	27.7	13	72.2
Planning	40	26	65.0	14	35.0
Probation	343	174	50.7	169	49.2
Public Defender	45	27	60.0	18	40.0
Public Works	492	432	87.8	60	12.1
Schools	13	2	15.3	11	84.6
Sheriff	367	291	79.2	76	26.1
Treasurer-Tax Coll.	35	5	14.2	30	85.7
Veterans Service	7	3	42.8	4	57.1
CCC Water Agency	3	3			
Co. Fire Districts	360	348		12	
PEP (EEA)	30	18		12	
TOTAL	5,275	2,258		3,017	
		42.765		57.234	

VI. EMPLOYMENT PRACTICES

The employment practices and procedures of Contra Costa County are regulated by Civil Service Ordinance 325, passed on March 6, 1944, creating a Commission consisting of five commissioners and operating by-laws. This body makes policy, enforces rules and regulations, and hears appeals.

The Civil Service Department administers the rules, regulations, procedures and policies of the Civil Service Commission. The Director of Personnel heads up the County's division of Personnel. He is also the Executive Secretary of the Civil Service Commission. With few exceptions, all hirings and promotions in Contra Costa County are processed through the Personnel Department.

HIRING POLICY: Article XIII, section 1, states, "No person in the classified service or seeking admission thereto, shall be appointed, promoted, reduced or removed, or in any way favored or discriminated against because of his race, color, national origin, ancestry or because of his political, religious, or labor opinions or affiliations." Section 2 of the same article makes it illegal for an employee to disclose information concerning race, color, national origin, ancestry, political affiliation, religious opinion, or labor opinion for the purpose of civil service employment. Section 3 says that no employee in the classified service shall favor or discriminate against the classes mentioned above.

From the time the Civil Service Commission was created until recently, the County took the position that it would not "knowingly" discriminate. But this attitude did not take into consideration the effect of institutionalized discrimination.

With the adoption of an Affirmative Action Plan for Equal Employment Opportunity in June, 1972, the role of the County was placed in more dynamic reference. The County, in theory at least, assumed the responsibility for seeing that minorities and women were engaged in County employment on a fair and equitable basis, and that fair and equitable basis was defined as their percentage of the County population.

RECRUITMENT

Recruitment in Contra Costa County has been the responsibility of the Personnel Department since the end of World War II. Article II of the Rules and Regulations gives the Department that responsibility. Most of the department heads favor this system and are minimally involved in it.

The recruitment effort of the Personnel Department has been subjected to criticism by community groups as well as individuals employed in the County system. Until the last few years, announcements for jobs were posted at County facilities but no conscious effort was made to see that minority communities were informed. This last year, both Mexican-American and Negro organizations have been pressing for more aggressive action by the Personnel Department with regards to recruitment activities.

An ad hoc committee of Contra Costa County organizations alleges that the County does not recruit and hire "sufficient minority personnel," which leads to totally inadequate and biased services to the community. Currently the Personnel Department has broadened its activities to include most of the centers of minority population but it is too early to gauge the depth of these recruitment efforts or to evaluate their effectiveness.

Another County group has expressed its concern that the recruitment practices of the County have resulted in women being underutilized in some areas while stereotyping has caused them to be overrepresented in the less prestigious clerical areas.

It has been proposed that the County hire a Mexican-American personnel analyst to facilitate relations with the Mexican-American communities but thus far the Board of Supervisors has turned this proposition down.

HIRING PROCEDURES: Contra Costa County has recently begun to revise some of its selection procedures which may be having a discriminatory effect upon minorities and females by excluding them from various positions within County government. Currently the Personnel Department states they are working with the legal department to draft charter and ordinance changes that will help to bring the County into compliance with federal and state laws.

TESTING: Testing, an ongoing function of the department, is one of the areas under scrutiny. About one-half of the testing program concerns the clerical area. The County has used tests purchased from the Griffenhager-Kroeger Corp. exclusively in the past. However, beginning July 1, 1973, it will purchase these from the State Personnel Board. In the past records were not kept. None of the tests were validated to see if they related to the job being done or to see if they were having an adverse effect upon minority groups and women.

Statistical data is not available to make it possible to calculate the minority and female rejection rate. However, in the cases where Negroes, Mexican-Americans, and Asians have been successful in passing the exams satisfactorily, their low positions on the certified list have hurt their chances of appointment or promotion.

Currently, written test content is being reviewed to ensure that it is job-related. The County is also cooperating with the Selection Consulting Center of the State Personnel Board in a statewide fire and police validation study. Increasingly, examinations are being held in local communities.

PROMOTION AND TRAINING: Article X of Rules and Regulations says that promotion on a permanent basis is by civil service examination. Promotion from within the system is favored. The examination is usually written, but may be oral for the higher classifications. Statistics on promotions have not been kept in the past.

The County has an extensive training program. All new County employees receive a short orientation course on their rights and obligations as County employees and how the employment system works.

Four manuals were made available to the Fair Employment Practice Commission. These dwelled almost entirely with management and supervision. A study of this material showed no reference to minority and sex, employment problems, or affirmative action programs.

A handbook is mailed to each new employee immediately upon being hired. No part of this mentions the Equal Employment policy of the County or discusses human relations, or Affirmative Action, or the state and federal fair employment practices laws.

Contracts have recently been signed with the State Department of Human Resources (HRD) to provide clerical training for disadvantaged persons through the Work Incentive Program. Eight such trainees are currently employed. One-half of the salaries of these trainees are paid by the departments out of allocated temporary funds.

In the last few years, the County has become aware of the fact that a sizable proportion of people in the County speak only Spanish. This investigation was stimulated in part by the County's failure to appreciate the magnitude of foreign language problems at the County hospital in Martinez and failure to appoint some Spanish-speaking para-professionals to the staff to make it possible for the hospital to function effectively.

This department is now moving in the direction of setting up examinations for Spanish-speaking applicants.

VII. AFFIRMATIVE ACTION

On June 26, 1972, the Board of Supervisors passed the following Policy on Affirmative Action for Equal Opportunity Employment. This document is shown below.

RESOLUTION NO. 72/434

Whereas since establishment of the merit system in Contra Costa County, the Board of Supervisors has required that appointment to and promotion within the County service be based upon merit and fitness, that discrimination in employment because of race, color, national origin or religious belief is forbidden, and that discrimination on considerations of sex and age is proscribed except as laws or obvious employment conditions require otherwise; and

Whereas the United States Government has taken action through the United States Civil Service Commission to have Affirmative Action Programs established in all State and local governments; and

Now, therefore, be it by the Board of Supervisors resolved that it hereby establishes an Affirmative Action Policy to identify and remove artificial barriers to employment and promotion of minority groups and disadvantaged persons; and that consistent with the merit system, aggressive effort shall be made to attract and assist minority and disadvantaged candidates to qualify for employment and promotion; that the Office of the County Administrator, the Civil Service Department and all departments of county government shall act affirmatively to make equal employment opportunity a reality throughout the Contra Costa County work force; and

Be it by the Board further resolved that within the aforesaid policy an Affirmative Action Program will be initiated under the direction of the County Administrator and the Director of Personnel which will require the active support of all department heads, said affirmative action to be initiated within current staffing and funding considerations with the understanding the County Administrator will recommend additional staffing and funding as specific needs are identified for consideration by this Board, said program to include but not be limited to the following steps with the goal of providing full employment opportunity and encouragement of a broader participation of minority and disadvantaged persons:

1. Review existing personnel programs and procedures to identify and remove artificial barriers to employment and promotion of minority disadvantaged candidates;
2. Expand recruitment efforts in the minority and disadvantaged community;
3. Conduct surveys of County work force to identify situations which require special effort in the promotion of this Affirmative Action Policy;
4. Identify needs for bi-lingual staff;
5. Review existing career ladders to determine if there is need to establish additional entry and promotional opportunities for disadvantaged persons;
6. Evaluate training needs and assure that training opportunities are available to all employees regardless of race, religion, sex or national origin;
7. Instruct department heads in the intent of the Affirmative Action Program and require their support and compliance with the program;
8. Periodically evaluate the results of the Affirmative Action Program and make necessary adjustments within Board policy to assure the vitality of the program.

This was a beginning.

On June 21, 1972, the Personnel Department published "The Affirmative Action Plan" to implement the policy of the Board of Supervisors.

This was a four-page document setting up in detail how the Affirmative Action program would work.

While the creation of these two documents was a step in the right direction and a valuable tool in helping to solve the problem, the Affirmative Action Plan suffers from three main shortcomings:

(1) There is no utilization analysis, (2) There are no specific goals and timetables, and (3) The plan does not fully delineate the responsibility of the department heads and the Board of Supervisors.

Without a good utilization analysis, management will not know where the problems are. Without departmental cooperation, the problems cannot be solved. Without goals and timetables (based on attrition plus expansion), the solving of the problem cannot be managed and individuals held responsible.

Critics of the Affirmative Action program for fair employment practices are divided into two camps. Many minority organizations expressed a strong opinion against the Personnel Department and what they considered its poor commitment to Affirmative Action. They claim that since the Affirmative Action resolution was passed by the Board of Supervisors in June 1972, it has been primarily window dressing for the County. They point out that: (1) The Personnel Department was given the ball but really did not run with it. This in effect subverted the expressed good intentions of the Board of Supervisors. (2) While not being wholly responsible for the problem, the Personnel Department was in the position to furnish strong leadership. That it did not do. By way of setting an example to the other departments, the department did not even window dress itself with a Negro employee, (3) If the Personnel Department had been seriously interested in Affirmative Action, it would have taken the steps necessary to gather ethnic statistics at an earlier date. This is the chief way one can find out where the problem is and evaluate how effectively it is being solved.

On the other hand there are those who place the main blame on the

Board of Supervisors.

The Personnel Department points out that since the Board of Supervisor's resolution, it has:

1. Discussed the problem at several department meetings.
2. Published an ethnic survey.
3. Developed a mailing list for recruitment to ensure that minorities are contacted.
4. Began to review test content (joined Selection Consulting Center of State Personnel Board).
5. Initiated some steps in the restructuring of jobs and the developing of career ladders.

These are laudable activities although it must be stated that most of them were but lately started. It is interesting also that all of these efforts were undertaken almost entirely by the Personnel Department. This is of itself a considerable weakness from the point of view of the FEPC. This lack of involvement and real strength is substantiated by the course of our interviews with the department heads of the County; few of them evidenced any real awareness of the County Affirmative Action program or any administrative responsibility on their part for Affirmative Action.

The point of view of the FEPC embodies both of these two positions. While the Personnel Department needs to understand the problem of minority utilization better and be more imaginative and aggressive, the problem of Affirmative Action is not solely the responsibility of the Personnel Department. It is the responsibility of all involved in County government, of the department managers, of supervisory personnel, and especially of the Board of Supervisors.

The Board of Supervisors promulgated a good Affirmative Action policy, and County administration developed a program of implementation more than a year ago but little was done by the County of a serious nature until the current campaign of minority organizations was begun which resulted in the State's investigation of the County.

The employment of minorities in the County needs to be given serious and continued consideration by the Board of Supervisors. The Board should evaluate the current situation on the basis of applicant flow, promotional opportunities for minorities, and the achievement of the County's Affirmative Action goals at least every six months. Department heads who do not cooperate should be disciplined in the same manner as for any other infraction of Board policy and instructions.

VIII. SUMMARY

The overall figures of minority utilization in Contra Costa County government show almost population parity for Negroes and Orientals--slightly less favorable for other non-Whites--and a chronic underutilization of Spanish-speaking persons. Furthermore, of the 151 Spanish-Surname persons employed, 71 or almost 50% were in the two lowest salary classifications. While the total percent of employment of the Negroes is better, 194 or almost 50% of all Negroes working for the County were likewise in these lowest classifications. Thus in terms of salary classification, the status of the Negroes is not really as good as it appears. There seems a better spread for Orientals. When the situation is analyzed in terms of what departments minorities work in, the data shows some problem areas. There are six departments in County government that employ no minorities at all. There is another group of departments that hire only very few. Considering that the Civil Service Department employs only one Oriental female clerk and one Filipino clerk out of 45 people and that these are in non-public contact jobs, one can understand the poor image the Civil Service Department has in the minority communities. The office of the Civil Service Department is in Martinez--an almost lily-white community more than ten miles from the nearest Negro or Spanish-Surname community. Furthermore, there is no public transportation. Since the County has only recently begun to broaden its recruitment, this fact has effectively barred large groups of Negroes and Spanish-Surname people from jobs, information, and employment consideration.

Women are still employed in some of the departments of the County according to sexual stereotypes. However in the Health Department, the Hospital, the Probation Department, and the Library, a large number of women are employed in top positions.

The statistics have helped to point out some of the problem areas, but they cannot possibly connote the rigidity and the insensitivity of the civil service system in Contra Costa government. A classical example was the need to have staff to communicate with Spanish-speaking individuals in the County Hospital and other social service areas. The efficiency of the Hospital was being impeded, but it took almost two years to break through the red tape. Minority groups pointed out several cases where their young women did well on a temporary assignment but could never pass the Civil Service examination to hold the job permanently.

Another example is the County School Department which employs 13 persons who are paid by the County and thus under the law must be appointed in accordance with County Civil Service procedures. None of the thirteen County employees are minorities. On the other hand, the School Department employs 252 non-Civil Service persons in various programs paid for with non-County funds. Of these persons, 28 or 11% are Black, 5 or 2% are Oriental, 10 or 4% are Spanish-surname and 209 or 83% are Caucasians. It can hardly be believed that the teachers and other professionals who got their job as a result of County Civil Service procedures are more competent than those who got them through other selection procedures used by the School Department.

Minorities also encounter difficulties in getting entry level jobs. As a matter of fact, the investigation showed little significant activity in the area of job simplifying and restructuring. Also in the past, there has been an unreasonably short time for recruiting. By the time minorities found out about the exam, it was too late to file.

The chairman of the Civil Service Commission is a Negro and has been on the Commission for years; however, minority input appears to stop here. There are no minority technicians employed by the department. The input of minorities is badly needed to permit the department to understand, empathize, and relate to minority problems. The input is needed to help the department carry out its professional responsibilities and help the County achieve its goals and objectives.

If the Affirmative Action program adopted by the Board of Supervisors on June 22, 1972, is brought up to date as suggested, it could be a valuable tool for improving the utilization of minorities in County government and achieving equal opportunity. To date, there is little evidence that the Affirmative Action plan is even known outside of the Personnel Department. And in view of the fact that no utilization study has been conducted by any of the departments (except for the Hospital and that was only on an informal basis), it must be concluded that the Affirmative Action Program has not reached far beyond the Personnel Department. While the responsibility of this department is great in this area, we must realize that the Hernandez Report and the Grand Jury Report of several years ago, mentioned in the Overview, which surveyed the employment situation of minorities in Contra Costa County, made equally good suggestions for ameliorating the problem. But these were never taken seriously by the managers of the County, the Board of Supervisors, the County Administrator, and the Civil Service Department.

Affirmative Action can succeed in Contra Costa County only if it is accepted as a major responsibility of the Board of Supervisors, the County Administrator, and the department heads and their staffs.

VIII. RECOMMENDATIONS

1. The County is to continue towards the completion and implementation of its Affirmative Action Program as per Resolution 72-434 adopted June 26, 1972, with the following modification:
 - a. An Equal Opportunity Division be created with an Equal Employment Officer as its head, responsible for the implementation and success of the Affirmative Action Program. Accountability, particularly department responsibility to the Board of Supervisors, will further assure measurable attainment of the program objectives. The Equal Employment Officer should be chosen on the basis of understanding the problems of minority cultures, having contacts with them and ability to relate to them. Ability to speak a minority language is important but not the sole criterion. In addition, the position should be structured to carry the necessary authority to get the job done. An appropriate support staff should be developed. He should be responsible to the Board of Supervisors.
 - b. The Equal Opportunity staff should include minorities and women who specialize in the employment problems of these underutilized groups. In addition to the Division's Affirmative Action responsibilities, it could also handle grievances and outside-the-agency complaints related to suspected discrimination, as well as County-wide social sensitivity programs and specialized counseling.
2. Particular attention should be paid to the development of departmental Affirmative Action Programs. Each department of the County should have a plan with specific goals and timetables for achievement. They should be realistic, and based upon normal attrition and projected expansion.
3. It is recommended that the Board of Supervisors, the Administrator, and the department heads hold a workshop on affirmative action since they have received previous reports and studies critical of their employment programs without having taken real corrective action.

4. The County should reevaluate the role of testing and selection standards in the light of recent court decisions and eliminate all procedures which are resulting in "adverse impact" on women and minorities.
5. A branch Personnel Department should be opened in West County and East County to serve these communities more effectively.
6. In view of the chronic underutilization of Spanish-Surname persons in County government, the Personnel Department should immediately be permitted to hire a Spanish-heritage personnel analyst.
7. The Personnel office at Martinez, which at present is almost a lily-white organization, should employ some minorities in public contact positions to change the image of the agency. This will stimulate the applicant flow of minorities.
8. A system of applicant flow identification should be created to identify those who fail in the selection process, along with reasons for failure. Ongoing records need to be maintained in order to identify those procedures presenting the greatest barriers to minority and female hiring and promotion.
9. The County should place Fair Employment Practice posters in all prominent places of employment.
10. A review of qualifications and abilities of all present minority and women employees should be conducted to determine the possibility of immediate upgrading or lateral movement to afford promotional opportunities into other job classifications that would be commensurate with the employees' abilities.
11. A system of broad job classes with career ladders should be developed to modernize the civil service system and facilitate the upward movement of staff.

12. Since there is a chronic need for bilingual staff to carry out the service responsibilities of the County at the Hospital, the Health Department, the Probation Department, etc., the hiring of persons with this type of skill should be given immediate priority.
13. All applications, questionnaires, and required documents must immediately be reviewed to determine their legal appropriateness. All questions or references to race, religion, ancestry, national origin, or sex must be discontinued immediately.
14. All charter provisions and ordinances which differ should be brought into state and federal compliance. The identification of sex should not be requested on applications for employment.
15. All of the manuals used by the County should be brought up to date to reflect the interest and posture of the County in the Fair Employment field.
16. All new employees of the County should be given orientation as to affirmative action posture of the County and their responsibilities with regard to that policy and posture.
17. The Equal Employment Division of the County should consider a social sensitivity program for the older employees similar to the one successfully conducted by Sacramento County.
18. The leave policy for females should be revised to conform to federal and state guidelines.
19. Beginning January 1, 1974, the County is to submit a quarterly audit of applicant flow by sex and ethnic group. Forms for this reporting will be supplied by the FEPC.
20. In November, 1974, the County is to submit an annual report to the FEPC including a current employment pattern survey and data on new hires, promotions, and terminations according to ethnic group and sex, plus a written narration describing the extent to which Contra Costa's Affirmative Action program has been implemented.

RECOMMENDATIONS TO THE COMMISSION

The underutilization of minorities and females in the Contra Costa County will not significantly change unless the County government takes this problem seriously and gives it a high priority.

Failure to meet its EEO commitments may leave the Commission no alternative but to ask for the intervention of the State Attorney General.

In order to avoid such drastic measures, on behalf of the Commission I hereby request that Contra Costa County submit a written response to the recommendations within sixty days, the response to include a target date for the implementation of each item. I shall also recommend that the Section 1421 investigation remain open until such time as the County demonstrates substantial progress.