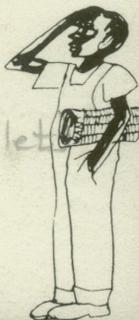


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MERIT EMPLOYMENT

by Paul Bullock

MERIT EMPLOYMENT

MERIT EMPLOYMENT:

Nondiscrimination in Industry

By PAUL BULLOCK

Edited by Irving Bernstein

Drawings by Marvin Rubin

INSTITUTE OF INDUSTRIAL RELATIONS

UNIVERSITY OF CALIFORNIA, LOS ANGELES

Los Angeles

1955

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Foreword

THE INSTITUTE OF INDUSTRIAL RELATIONS of the University of California was created for the purpose, among others, of conducting research in industrial relations. A basic problem is to reach as large an audience as possible. Hence the Institute seeks through this series of popular pamphlets to disseminate research beyond the professional academic group. Pamphlets like this one are designed for the use of management, labor organizations, government officials, schools and universities, and the general public. Those pamphlets already published (a list appears on the preceding page) have achieved a wide distribution among these groups. The Institute research program includes, as well, a substantial number of books, monographs, and journal articles, a list of which is available to interested persons upon request.

The problem discussed in this pamphlet—racial and religious discrimination in employment, and techniques for combating it—is of obvious importance at this time. Moral, economic, and legal pressures now combine to emphasize the need for elimination of discriminatory barriers. Employers, labor unions, government, and the

general public all are affected. This pamphlet, therefore, surveys the nature and history of discrimination, the public and private measures for the establishment of merit employment, their effect upon the various parts of the community, and the effectiveness of methods used.

The author of *Merit Employment*, Paul Bullock, is an economist trained at Occidental College and the University of California, Los Angeles. He was a wage analyst with the National Wage Stabilization Board during the Korean war. Mr. Bullock is presently on the staff of the Institute of Industrial Relations.

The Institute wishes to express its gratitude to the *Los Angeles Examiner* for its generous cooperation and assistance. The following persons reviewed the manuscript: Professors Robert Tannenbaum, Raymond J. Murphy, and R. Thayne Robson, all of the University of California. The Institute is appreciative. The cover and illustrations were drawn by Marvin Rubin. Mrs. Anne P. Cook assisted with the editing.

The viewpoint is that of the author and is not necessarily that of the Institute of Industrial Relations or of the University of California.

BENJAMIN AARON, *Acting Director*
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I. Introduction

RACIAL AND RELIGIOUS discrimination remains one of the most critical problems facing Americans today. Despite the progress achieved in recent years, many groups find their opportunities restricted by discriminatory barriers in almost every aspect of life—economic, cultural, political, social, and educational.

Discrimination is morally wrong at any time. In the midst of a “cold war,” and in a world containing an infinite variety of creeds and skin complexions, it is also a diplomatic and political disaster. Its elimination must be placed high on our list of priorities.

This pamphlet focuses on one part of this problem. Discrimination in employment, at all levels of the job structure, prevents the full and effective use of our manpower resources and denies equal economic opportunity to large segments of the population. America desperately needs the talents and skills of those now excluded from complete participation in our economic life.

In early 1958, Secretary of Labor James P. Mitchell cited the urgent need for millions of skilled workers to fill new jobs as our population grows. Pointing out that

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by 1965 this country will require \$560 billion in goods and services, he estimated that there will then be a need for 1.7 million additional professional and technical workers, 1 million additional proprietors and managers, 1.3 million additional clerical and sales workers, 5 million additional craftsmen and operators, and about half a million additional service workers. The problem is especially acute in the skilled trades. Secretary Mitchell emphasized that the supply of skilled craftsmen, mechanics, tool makers, machinists, and other top production workers on the job had not increased over a five-year period. "And so long as we in this country permit ourselves, because of long outgrown prejudices, to waste the talents and facilities and ingenuity that we have, we are not going to express the leadership we should express to the developing nations of the world."

Nondiscrimination in employment, therefore, is essential on both moral and economic grounds. The federal government has recognized and endorsed this principle through creation of the President's Committee on Government Contracts, which helps administer a nondiscrimination clause in contracts with private industry. Sixteen states, and numerous municipalities, have enacted enforceable fair employment practices laws which forbid discrimination in private employment. The newly enacted California law expresses the reasoning behind such legislation:

It is recognized that the practice of denying employment opportunity and discriminating in the terms of employment for such reasons [race, religious creed, color, national origin,

or ancestry] foments domestic strife and unrest, deprives the State of the fullest utilization of its capacities for development and advance, and substantially and adversely affects the interests of employees, employers, and the public in general.

In addition, many business firms and unions have voluntarily eliminated discrimination, and scores of private organizations conduct extensive campaigns to promote the principle of nondiscriminatory employment. Several business groups have asserted that the companies which hire employees on merit alone make the most efficient use of the available labor supply.

The term "merit employment," in essence, refers to the hiring, promotion, and general treatment of workers in accordance with their individual job-related qualifications. The intent of the policy is to eliminate discrimination against employees or job applicants on the basis of race, religion, or other factors, such as age or sex, which are unrelated to their knowledge and skill on the job. This pamphlet describes the nature and origins of merit employment, the governmental and private techniques used to implement it, and some of the special problems encountered. The emphasis will be on the factual record, as it is available.

While the focus here is necessarily on the employment aspects of racial or religious discrimination, it must be emphasized that the problem essentially is indivisible. All phases of discrimination are closely interrelated: inferior education for minority groups, as one example, inevitably reduces their employment opportunities. Seg-

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regated housing forces many minority group workers to travel long distances to and from their place of employment, and denies them the opportunity to improve their status in the community, even when they rise in the job hierarchy. To be genuinely effective, the attack on discrimination must be launched on several fronts at the same time.

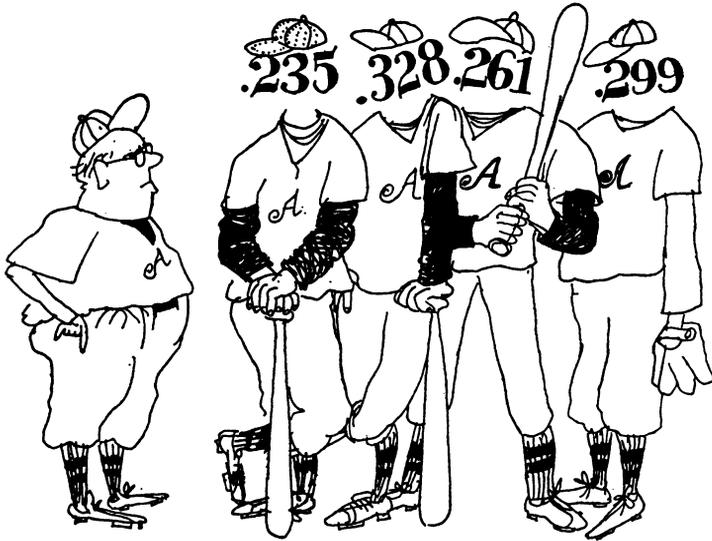
II. Discrimination in Employment

A FEW YEARS AGO, a young Negro athlete named Jackie Robinson created a national sensation when he joined the Brooklyn Dodgers as first baseman. His abilities were never in dispute; baseball fans, in Flatbush and elsewhere, agreed that the Dodgers' prospects had brightened as a result of this acquisition. But Robinson was the first Negro in the twentieth century to be hired as a regular player on a major league team, the first to break through the color barrier which had kept American baseball "pure white." The color of his skin made him a controversial figure.

Negro baseball players are no longer a rarity. The barrier has been breached. Colored players are now judged, along with their white colleagues, on the basis of their batting averages and their fielding; they become controversial only when in a hitting slump. They are, in short, hired, benched, or traded on their merit as baseball players.

Most instances of past or present discrimination in employment do not receive publicity. Yet they are

equally important to those affected, and their consequences are no less serious. Negroes, Jews, Catholics, Orientals, Irishmen, Jehovah's Witnesses, American In-



dians, and citizens of Puerto Rican, Mexican, and Eastern European descent—all these and many more have on more than one occasion been dismissed from a job interview with the advice: "Don't call us, we'll call you." But the phone never rings.

1. THE NATURE OF DISCRIMINATION

Discrimination in employment affects many groups in American society. Discriminatory employment patterns effectively restrict the members of certain ra-

cial, religious, or national minorities to particular types of jobs. As a result, their income is too low and their rate of unemployment too high, and the nation fails to make full use of their talents.

Figures published by the U. S. Bureau of Labor Statistics for 1959 show that 15.4 per cent of Negroes are unskilled workers, compared with only 4.6 per cent of the whites; 12.8 per cent are farmers and farm workers, compared with 8.0 per cent; 32.0 per cent are service workers, compared with 10.0 per cent; and 19.8 per cent are semiskilled workers, compared with 17.9 per cent. Altogether, 80.0 per cent of the Negroes are in these classifications, in contrast with 40.5 per cent of the whites.

Whites predominate in such occupations as skilled workers (13.9 per cent of whites, compared with only 5.8 per cent of Negroes), clerical and sales (22.5 and 7.4 per cent), proprietors and managers (11.5 per cent and 2.3 per cent), and professional and technical (11.6 and 4.4 per cent). In 1954, the median income of white families in the United States was \$4,339, while the corresponding figure for nonwhite families was \$2,410.

What these figures mean is that, despite marked advances in the economic and social status of nonwhites in the past quarter-century, the nonwhite worker is still largely confined to an unskilled job. There are two reasons for this. First, for many decades nonwhites were generally barred from other than menial jobs. Second, even in those instances where skilled or semiskilled jobs are now available to them, they sometimes lack

the training, experience, and educational background needed to qualify. It is a familiar type of vicious circle: the long-time absence of economic and educational opportunities has discouraged many nonwhites from acquiring the skills required for higher-paid jobs.

The problem confronting the prospective Negro skilled worker is complex. He must first secure the secondary and, perhaps, college education needed for the general training which higher-level jobs require. He must then acquire the specific skills of the trade or profession to which he aspires, perhaps through an apprenticeship program. Finally, he must obtain permanent work which allows him to advance, without arbitrary limitation, in accordance with his individual capacities. At any stage, he may be stymied by discriminatory barriers.

A survey made in the mid-fifties by members of the Department of Economics of Washington University, in St. Louis, illustrates some of the difficulties confronted by trained Negro job seekers in that area. Comparing occupations with educational attainment, the researchers found that four out of ten Negroes who had had one to three years of college training, and five out of ten who had completed high school, were then employed in lower occupational categories than were white persons with similar education. The same study indicated that seven out of ten Negroes with craft training, five out of ten with clerical training, and over five out of ten with training as machine operators, were currently employed in occupations well below their trained capac-

ities. This underemployment had persisted in the St. Louis area despite a four-year period of shortages of craft and clerical workers.

A study conducted by the Conservation of Human Resources Project at Columbia University, under the direction of Professor Eli Ginzberg, has indicated that there is not much difference in the occupational distribution of Negro men in nonfarm employment in the South and in the remainder of the country, with the exception that Negroes have many more opportunities to secure sales and clerical jobs outside the South. The chief regional difference, in terms of jobs, is that few Negroes work on farms outside the South. Ginzberg concluded in 1956 that "The occupational opportunities of Negro men are much more narrowly restricted than those of white men in all parts of the country."

Further, Ginzberg noted that two thirds of the Negro professional men in the South in 1950 were teachers in Negro schools or clergymen in Negro churches. Many of these clergymen were lay preachers without a background of higher education.

Taking 1950 census figures, a study prepared for the Illinois Commission on Human Relations showed that Negroes in the United States then held only 26 per cent as many white-collar jobs as would be expected on the basis of population. Some gains, however, have been recorded for nonwhites since 1950.

Discrimination against Americans of Mexican descent is severe in certain areas. A special report of the U. S. Census Bureau provides figures on the occupational dis-

tribution of white persons of Spanish surname in Texas, Colorado, New Mexico, Arizona, and California, as of 1950. This group was concentrated largely in the operative, farm laborer, and laborer (except farm and mine) categories. Only a small proportion were professionals (2.2 per cent) or managers (3.9 per cent).

In many instances, Jews are employed in certain positions in a firm, but are excluded from top administrative and executive jobs. Orientals, Mexican-Americans, Puerto Ricans, and other groups often encounter the same barrier.

Discrimination against Puerto Ricans in the continental United States is becoming an increasingly serious problem. Census figures for 1950 showed that they were overwhelmingly concentrated in the operative and service occupations, with a relatively small proportion employed as professional and technical workers or managers.

Other groups also suffer discrimination in employment. For example, open or tacit discrimination against women is often practiced by employers. Figures on the scope of employment discrimination against women are difficult to obtain, but it is significant that the median wage and salary income of males in 1949 was measurably above that of females in every category of work, as shown by the 1950 census. In several cases, the median income received by males was more than twice the corresponding figure for females. In many occupations and firms, qualified women find it difficult to secure jobs or to advance as rapidly as their male counterparts. Qualified

aged and handicapped workers also encounter frequent obstacles in their search for suitable employment.

The report of the New York State Commission Against Discrimination, for January–September, 1958, gives further indication of the extent of discriminatory practices. Of the 31 complaints which were sustained by the commission,

one alleged an unlawful pre-employment inquiry; one alleged discrimination by a labor union because the complainant belonged to a union local which was primarily of Jewish membership; one alleged a discriminatory dismissal from employment because the complainant filed a previous complaint with SCAD; one charged a discriminatory refusal to hire because of the complainant's age (she was 64); one alleged a discriminatory refusal to hire because of the complainant's Puerto Rican national origin; and four alleged denial of union membership (three because of the complainant's Puerto Rican origin and one because of the complainant's color—he was a Moor).

The other 22 complaints were all filed by Negroes. Ten involved a refusal to employ; four, discrimination in employment conditions; three, the withholding of employment agency referral; one, a denial of union membership; and four charged a union with abetting an employer in refusing to hire the complainants.

In addition, there were 79 cases in which the specific complaint was not sustained but other discriminatory policies were found and adjusted. Altogether, 531 complaints were filed during this period, the vast majority from Negroes, but many from Jews and Puerto Ricans;

a few from Catholics, West Indians, and persons of Eastern and Southern European origin; and a scattering from Jehovah's Witnesses, Orientals, American Indians, Latin Americans, Western Europeans, and miscellaneous groups. In fact, one complaint was received from a woman who alleged that she was refused employment because she was white.

In all, 371 complaints alleged discrimination because of color; 44 because of creed; 64 because of national origin; and 38 because of age. Four complaints alleged unlawful pre-employment inquiries or specifications, and ten charged discrimination because the complainants had opposed discriminatory acts. The majority of complaints received each year by the commission, however, are not sustained upon investigation, and therefore it is difficult to estimate the full extent and impact of discrimination merely on the basis of complaints filed. Since the presence of discrimination is often hard to prove, many cases may go uncorrected and perhaps undetected. Undoubtedly, many of those who are discriminated against are either unaware of the governmental machinery established for their protection or simply neglect to file a complaint.

2. THE HISTORY OF DISCRIMINATION

The historical sources of discrimination are varied and complex. Obviously a major source is the social and cultural pattern established in the general community. Prejudice against Negroes is in a somewhat

different category from the other types of discrimination. The feeling against Jews or Slavs or Mexicans, for instance, has in part grown out of a "nativist" antagonism toward a "foreign" invasion of the hitherto predominant culture. The recent immigrant has been a frequent target of prejudice. Once the new group has been assimilated, however, it is usually accepted as part of the community. Indeed, the newly accepted immigrant will often adopt the attitudes of the "elite" which formerly excluded him, and will heap ridicule upon those who seek to emulate his own rise in status.

Thus the Irish Catholics were an early object of prejudice and discrimination in this country. Over a century ago, American newspapers made it clear in their help-wanted ads that "No Irish Need Apply!" Though some anti-Catholic feeling has persisted to this day, Americans of Irish descent are no longer in disfavor.

The case of the Negro is more complicated. Brought to America as a slave, he became part of an economic and social system which required him to remain in a subservient status. The larger culture would not assimilate him as an equal, and elaborate rationalizations were put forth to explain his supposed biological inferiority. From a pragmatic standpoint, the color of his skin has made him a more obvious target for discrimination than in the case of the Irish, the Eastern Europeans, and many others who have occasionally felt the lash of bigotry.

Racial and religious prejudice reached perhaps its zenith in the period following World War I. With anti-foreign feeling rampant and the Ku Klux Klan in tem-

porary ascendancy, discrimination against both the nonwhite and the recent immigrant was intensified. The immigration laws were overhauled with the ill-concealed purpose of cutting off the flow of immigrants from Eastern and Southern Europe and from nonwhite areas. States such as California broadened their discrimination against Orientals.

The position of minority groups, including the Negroes, has improved markedly since the 1920's. Partly this is a result of government policy; federal relief and economic benefits, for example, have normally been distributed without regard to race, color, or creed. It is also possible that higher educational levels and other factors have improved the attitudes of the general public.

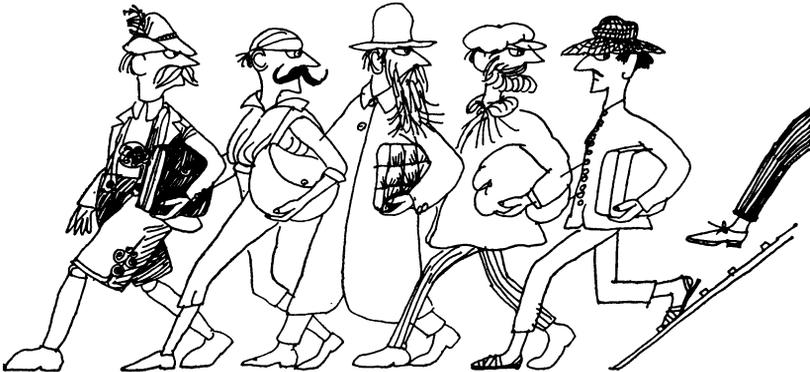
The pressures of a tight labor market in wartime have perhaps had an even greater impact. During World War II and the Korean war, labor scarcity required industry to tap new sources of manpower and utilize the services



of many formerly excluded from the vacant jobs. Negro workers particularly benefited from the changed policy.

With a growing economic and political power, minorities in America have received increasing help from government. The specific measures, beginning in the period preceding World War II, will be detailed in later chapters. It now suffices to point out that public policy is generally favorable to merit employment and that significant strides in this area have been made in recent years.

This progress, specifically with regard to the Negro worker, may reflect the "rank order of discrimination" described in *An American Dilemma*, Gunnar Myrdal's monumental work on the race problem. Myrdal pointed out that white Americans are most strongly discriminatory against intermarriage and sexual intercourse involving white women, and least discriminatory in the area of jobs, social welfare activities, and similar economic



opportunities. The Negro's order of interests, on the other hand, "is just about parallel, but inverse, to that of the white man." In other words, Negroes are most interested in jobs and economic equality, least interested in intermarriage. It is precisely in this area of work opportunities, then, that the best hope exists for progress without undue conflict.

III. Minorities and Government

THE STRUGGLE for minority rights has a long history in America. The sectional impasse over the issue of slavery, the aftermath of the Civil War with its civil rights statutes and constitutional amendments, the continuing disputes over immigration policies, the long and complex series of U. S. Supreme Court decisions in this area—all these have had an impact on the status of racial and religious minorities, for good or ill.

Much of the early impetus for greater employment of minorities has come from government. Through executive orders, special committees, state and local ordinances, and direct governmental employment, Negroes and other minority groups have secured many thousands of jobs which might not otherwise be available to them.

The federal government has actively promoted a policy of nondiscrimination in employment in two important ways: (1) it has established the principle of merit employment throughout the federal service, with hiring and promotions placed on a nondiscriminatory basis,



and (2) it has forbidden racial or religious discrimination in privately owned firms holding government contracts. In addition, various federal agencies have used educational media to strengthen the program of merit employment in private industry generally.

Legal action, of course, is not the entire answer to the problem of discrimination. Law gives strong support to the principle of nondiscrimination in employment, but private and voluntary efforts must supplement it. Each approach reinforces the other.

1. FEDERAL FAIR EMPLOYMENT PRACTICES MEASURES

The first "fair employment practices" (FEP) machinery was established in July, 1940, when an office was created in the labor division of the National Defense Advisory Commission to facilitate the employment and training of Negro workers. A number of federal agencies agreed to cooperate in this program.

On June 25, 1941, President Franklin D. Roosevelt issued Executive Order No. 8802, which set up the Committee on Fair Employment Practices within the Office of Production Management, designed to eliminate discrimination in employment due to race, creed, color, or national origin. This committee had power to investigate complaints and correct valid grievances. It could make recommendations to the President and to other government agencies. However, it had an uncertain existence, often under fire from hostile legislators who succeeded

in cutting off its appropriation in the summer of 1945. Under its aegis, some progress was made in the direction of greater employment opportunities for minorities. Since its termination, supporters and opponents of fair employment practices measures have frequently clashed over various attempts to restore such an agency at the federal level. No specific legislative action has been taken, but the President on several occasions has issued orders favoring a policy of merit employment within the executive branch.

In late 1946, President Harry S. Truman appointed a special committee to study the problem of civil rights and make recommendations for further implementation. This Committee on Civil Rights reported in 1947 that discrimination in employment was a serious problem in the entire country and particularly within the District of Columbia. It cited a wartime statement of a ranking District official that "Negroes in the District of Columbia have no right to ask for jobs on the basis of merit," on the grounds that whites own most of the property and pay the bulk of municipal taxes. It also noted that Negroes received discriminatory treatment in private employment, with three fourths of all Negro workers in Washington classed as domestics, service workers, or laborers in 1940.

The committee unanimously recommended the enactment of a federal fair employment practices act prohibiting all forms of discrimination in private employment based on race, color, creed, or national origin. It also endorsed the enactment of similar laws by the vari-

ous states, and the issuance by the President of an order against discrimination in government employment, with adequate machinery for enforcement.

These recommendations were greeted by both cheers and jeers in the legislative chambers and elsewhere. In February, 1948, President Truman endorsed them in a special message to Congress, urging among other things the enactment of a federal fair employment practices law. At approximately this same time, the President issued an order for the elimination of racial and religious discrimination in federal employment and the establishment of a fair employment board within the Civil Service Commission. The President also required equality of treatment for all persons in the armed services, regardless of race, color, creed, or national origin.

On January 18, 1955, President Eisenhower issued Executive Order No. 10590 which enunciated an official policy of nondiscrimination in federal employment, made department heads responsible for carrying out the directive, and created the President's Committee on Government Employment Policy. The task of this committee is to implement a nondiscrimination policy by hearing and judging individual complaints, by circulating information to the various agencies, and by sponsoring conferences to discuss the problems involved.

Substantial progress has been made in recent years in the employment of minorities in government at all levels. The number of nonwhites in federal, state, and local government rose from 214,000 in 1940 to 845,000 in 1959, representing an increase from 5.6 per cent to

10.8 per cent of total governmental employment. In 1956, Negroes accounted for about 23 per cent of all federal employees in five key cities: Washington, D.C.; Chicago, Illinois; Los Angeles, California; St. Louis, Missouri; and Mobile, Alabama.

In many communities, government service remains the foremost source of white-collar employment for minority groups. The Los Angeles County Commission on Human Relations (a county agency) reported in 1958 that in one department of local government approximately 47 per cent of the clerical staff consisted of Negro, Mexican-American, and Oriental personnel. The commission estimated that a large percentage of white-collar job opportunities for such groups were concentrated in Civil Service in the four governmental jurisdictions (federal, state, county, and city).

2. GOVERNMENT CONTRACTS

Two executive orders issued during World War II established the policy of requiring nondiscrimination in plants holding government contracts. The first committee specifically created to carry out this program was the President's Committee on Government Contract Compliance, set up by President Truman in December, 1951. The committee, comprising representatives of the major contracting agencies and six other members named by the President, was empowered to examine the procedures of federal departments, confer with responsible officials, and make recommendations for the prevention or elimination of discrimination in contracting firms.

The functions performed by this committee were assumed by the President's Committee on Government Contracts, established by President Eisenhower on August 13, 1953. The power of this second committee is broader than that of its predecessor. It receives complaints and transmits them to the appropriate contracting agency for action, and initiates and reviews surveys of contractors. In addition, it conducts and encourages educational programs in industry and among private groups, in cooperation with state, local, and nongovernmental instrumentalities.

The President's Committee helps administer a broadened nondiscrimination clause, as revised in 1954 by Executive Order No. 10557, which forbids discrimination in all types of personnel practices, including employment, promotions, transfers, recruitment, layoffs, rate of pay, apprenticeship programs, and many others. The contractor, under this clause, is obligated to post in conspicuous places the notices of this nondiscrimination policy and to insert similar provisions in his subcontracts (except for standard commercial supplies or raw materials). This clause has recently been added to government bills of lading.

The personnel of the committee, with the Vice President as chairman and the Secretary of Labor as vice chairman, have been selected so as to obtain the participation of key governmental, industrial, labor, educational, journalistic, and other leaders who can influence the shaping of national policy. A major aim of the program is to enlist the full cooperation of top management throughout the country in applying the principle of non-

discrimination in employment. Much reliance, therefore, is placed on education and informal conferences with employers for the purpose of securing a wide acceptance of merit employment within business and industry.

The committee has no direct power to enforce its policies. Compliance is administered by the various agencies and may be enforced, if necessary, either through the cancellation of existing contracts or through refusal to enter into future contracts with the violator. The committee regularly initiates surveys and resurveys of contracting plants to determine if nondiscriminatory policies are in actual practice. If violations are uncovered, it recommends appropriate action to the agency involved.

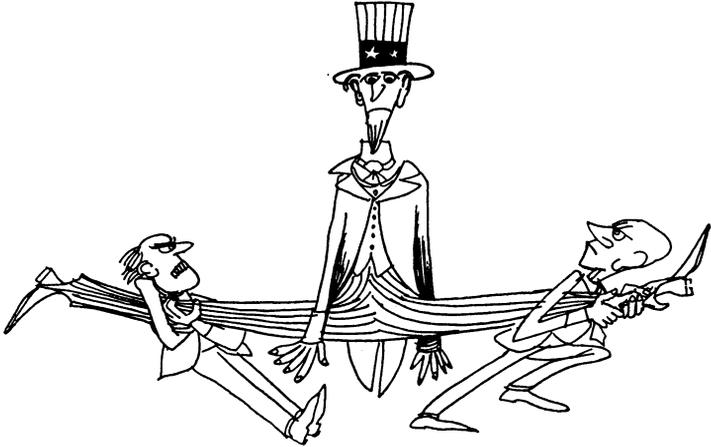
Most of the committee's program is based on persuasion and conciliation. Often its work is done informally and behind the scenes. The complaint process, a valuable and necessary function of any governmental antidiscrimination agency, nevertheless involves a number of problems: for example, it requires the contracting agency and the committee to inquire into the work qualifications, skills, and perhaps even the personal traits of a specific individual—at best a delicate and complicated task. General compliance surveys and informal unpublicized conferences may avoid some of these problems and achieve success in a broad improvement of company policies.

Surveys of government contractors, as directed by the President's Committee, are frequently undertaken by the contracting agencies in order to assure compliance with the nondiscrimination clause. A continuing series of sur-

veys may be made before the committee is satisfied that a given firm has genuinely adopted merit employment. Such surveys are conducted even where there is no overt evidence of discrimination. The ultimate aim is not merely to persuade companies to abandon discriminatory practices, but rather to induce them to demonstrate a merit employment policy by positive measures. Specifically, a company may be asked to advise recruitment personnel and sources that it accepts all qualified applicants regardless of race, color, religion, or national origin. It may also be requested to broaden recruitment sources so as to include Negro schools, the Urban League, and similar organizations. The President's Committee may direct an agency to secure monthly reports on a firm's total employment by occupation and race, number of applicants by race and job classification, number of new hires by race and job classification for each department and the sources from which they were recruited, and a comparison of the qualifications of successful applicants with those of rejected Negro applicants, if any.

The resurveys of specific firms provide a continuing yardstick by which employment policies can be measured over the entire business cycle. They show a pattern of recruitment in times of both labor scarcity and labor surplus, thus indicating the long-term practices of the company. By detailed questions on standards of employment, areas of recruitment, layoff and recall procedures, and so on, the agency and the committee can throw light on existing deficiencies in the contractor's policies.

An important point, difficult to measure statistically but still deserving of emphasis, is that many employers voluntarily comply with nondiscrimination provisions without being forced to do so. Indeed, a considerable number of contractors strongly favor a policy of merit employment, both on ethical and practical grounds.



Undoubtedly, progress has been made under the leadership of this committee. The magnitude of this progress is often in dispute; some feel that it has proceeded too fast, others that it has gone far too slowly. One criticism is that too long a time elapses between the filing of a complaint and final action by the committee or the agency. The problems are complex. First, the committee operates in a “cold war” atmosphere in which government agencies are frequently under pressure to secure the speedy and efficient completion of contracts. This

may limit the extent to which they are prepared to withhold or withdraw contracts from violators. Second, the unavailability of qualified workers from minority groups sometimes makes it possible for contractors to assert, sincerely or insincerely, that they are prepared to hire such applicants but can find none.

IV. The Investigative Process: A "Model" Case

IN THIS CHAPTER we shall examine a model of the investigative procedures used by a governmental antidiscrimination agency to determine if racial or religious discrimination is practiced by a specific firm. The example used is based upon the Compliance Guide issued by the President's Committee on Government Contracts for the guidance of agency investigators, but it closely parallels the scope and technique of procedures employed by the New York State Commission Against Discrimination and other fair employment practices commissions (FEPC) in the investigation of complaints.

Obviously the enforcement power granted to an FEPC is broader than that possessed by the President's Committee. As we shall see later, a commission may issue a cease-and-desist order against any firm charged with discriminatory practices and unwilling to correct them voluntarily, while the President's Committee can only recommend the withholding or cancellation of government contracts under similar circumstances. Both agencies, however, rely primarily upon conciliation, and

resort to legal action is rare indeed. In both cases, even if the particular complaint is not sustained, the investigation may uncover other discrimination which the employer would be required to correct.

It must be emphasized that this is a model case, in which the agency investigator closely observes the manual of procedure issued by the President's Committee. Along with the distribution of its Compliance Guide, the committee has conducted seminars and workshops to train agency personnel in proper investigative techniques. It must rely upon such personnel for administration of its nondiscrimination policy, whereas an FEPC has its own permanent staff for investigation and correction of complaints.

Let us take, as our fictional example, the case of the Scheherazade Ink Company, of South Pasadena, which has a substantial contract to supply red ink to the Treasury Department. In newspaper ads, Scheherazade has announced openings for qualified ink mixers, and a Negro worker with seven years' experience in the trade has applied. During a brief employment interview with the plant personnel officer, the applicant is informed that he will not be hired for the job because the unique processes used by this firm require a special type of skill which his past work experience does not reflect. When pressed for further clarification, the interviewer abruptly responds that others more qualified are available for the job and that the applicant simply fails to meet the required standards.

While waiting for the interview, the worker had noticed a poster on the wall which proclaimed an official governmental policy of nondiscrimination in all plants holding federal contracts. At the bottom of the poster was the name of the issuing agency: "The President's Committee on Government Contracts, Washington 25, D.C."

Upon emerging from the interview, he notes down the agency's name. Since one of the two regional offices is located in Los Angeles, he goes there. The Regional Director advises him on the form of his complaint and transmits his letter to Washington. In his letter he includes his name and address, the name and address of the employer, and a brief description of the job interview. He outlines the nature of the job and of his background, explaining that his qualifications appeared more than adequate. He alleges that the interviewer was cool and abrupt toward him, and that his questions concerning the precise nature of this "unique" job went rudely unanswered. Finally, he states that he is a Negro and believes that, although qualified, he was not hired because of his race.

In our hypothetical case, the contracting agency is the Treasury Department. The Committee on Government Contracts will therefore refer this complaint to the chief Compliance Officer of the department in Washington, and his responsibility is to arrange for a complete investigation. From this point on, the investigation is generally similar to a compliance survey, except that the investigator must concern himself with the details of the spe-

cific complaint as well as with the general employment practices of the firm.

The investigator to whom the complaint is assigned will first secure information concerning local minority groups, including number and location, manpower skills, schools, recruitment sources, and distances and transportation factors from minority population centers to the community in which the plant is located. Armed with such data, the investigator can point to potential sources of recruitment of qualified minority workers, and ascertain if the employer has made a genuine effort to recruit on a nondiscriminatory basis. In this instance, too, he will determine from the committee's regional office whether previous complaints about discrimination at Scheherazade have been filed and whether the company has been surveyed before.

After collecting such information as he deems essential, the investigator will then contact the Negro applicant who has filed the complaint. In a personal interview, they discuss the details of the incident, and the complainant provides facts on the job description as he had understood it, salary, his education and training, his experience in ink mixing, and his conversation with the employment interviewer.

Having gathered the background information, the investigator's next task will be to interview the employer, in this case the personnel manager of Scheherazade. The complainant may request that his identity not be divulged to the firm, in which case the investigator must frame his inquiries so as to protect the applicant's an-

onymity. In this instance, we assume that the complainant has authorized the investigator to reveal his identity.

First, the investigator observes whether the committee's poster is prominently displayed in several places throughout the offices and plant. Then he reviews the firm's employment application form, to determine if it contains questions relative to race, religion, or national origin. Sitting down with the personnel manager, he explains the nature of the complaint and inquires into the employment policies of Scheherazade.

The questions he asks are designed to throw light upon possible discriminatory practices. Have Negroes ever been employed, or are they currently employed, at the company? If Negroes are employed, are they concentrated entirely in unskilled jobs? Where does Scheherazade usually recruit its workers? If it uses an employment agency, has the agency been informed *in writing* of a nondiscriminatory hiring policy? Are members of minority groups ever referred to it for possible employment?

The investigator will want to know whether the company has a union contract and, if so, whether the union admits applicants without discrimination. He will inquire into all pre-employment requirements, to ascertain if photographs must be submitted or if other indirect methods of discrimination are used. Nor does his inquiry end with hiring practices. He is equally concerned about promotions, layoffs, transfers, and similar factors, and particularly looks for *positive* statements in handbooks, notices, or brochures regarding nondiscrimination in employment.

In addition, he asks specific questions concerning the rejected Negro applicant. How do the latter's educational and work qualifications compare with those of the employees hired for the available jobs? In what ways, if any, does the Negro worker fail to meet the requirements of the job?

In this case, the personnel manager explains that management has no objection whatsoever to the hiring of qualified Negro applicants for skilled jobs. It becomes obvious from the conversation, however, that the company fears an adverse reaction among its present employees and the local residents, who are predominantly Anglo-Saxon. The investigator then cites a number of instances within his experience in which firms have successfully initiated merit employment, and produces material published by the President's Committee which describes scores of situations wherein Negroes have been introduced into previously all-white job classifications without undue difficulty or incident. Finally, he outlines some of the techniques used by other firms in establishing a nondiscriminatory policy.

Following the interview, the investigator checks the various statements made by the personnel manager against the records available to him, and makes an inspection tour of the plant to observe the composition of the work force. He then prepares a detailed report in which he presents the relevant facts and makes suggestions for effecting compliance with the nondiscriminatory policy.

In this case, we assume that the report substantiates the complaint of discrimination on the basis of race. The

procedure for remedial action varies according to the agency. In the hypothetical Scheherazade case, the investigator works out a plan with the company whereby all racial or religious restrictions will be abolished and all future hiring will be on the basis of merit only. This agreement is fully described in the final report to the chief Compliance Officer of the Treasury. A full report, including recommendations for administrative action, is always filed with the President's Committee, where it is reviewed first by the staff, then by the Subcommittee on Review and Enforcement, and finally by the full committee at its regular monthly meeting. The committee may approve the action taken or may recommend additional steps to bring the company into compliance. After approval, the complainant is informed of the results of the investigation and the corrective action taken.

In our example, the Negro applicant is informed that the company has pledged itself to hire only on the basis of merit, and that all job openings will henceforth be filled without regard for race, color, creed, or national origin. While the prior vacancies have now been filled, he is advised to apply again for future openings. The plant will subsequently be revisited by investigators, perhaps on several occasions, who will determine whether or not Scheherazade has in fact initiated a non-discriminatory policy.

Since California now has an FEP law, the worker can also file a complaint with the state commission established under this measure. As indicated, the investigative procedures are essentially the same.

V. State and Local FEP Measures

SIXTEEN STATES now have enforceable fair employment practices legislation on the books: Alaska, California, Colorado, Connecticut, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Washington, and Wisconsin. These laws cover private employers and, in most cases, government jurisdictions. Exemptions are granted to very small firms.

In addition, Indiana and Kansas have FEP laws without enforcement powers, establishing machinery only for conciliation and persuasion. The commissions in these states have no statutory authority for enforcement of orders through court action.

Arizona and Nevada forbid discrimination under all public contracts. Illinois has a law governing work done under public construction and defense contracts, and Nebraska similarly regulates contracts for military supplies and equipment. These limited laws, however, establish no administrative machinery for their enforcement, relying entirely on normal judicial processes.

A great many cities and towns have ordinances limiting or prohibiting discrimination in employment. In 1959, 42 cities in the United States had some kind of fair employment measure. Among them were such communities as Chicago, Illinois; St. Paul and Minneapolis, Minnesota; Cleveland, Toledo, and Youngstown, Ohio; Philadelphia and Pittsburgh, Pennsylvania; Milwaukee, Wisconsin; Baltimore, Maryland; and San Francisco, California. Some of the cities give only limited protection, covering city agencies and firms doing business with the city. Numerous other jurisdictions maintain commissions or organizations designed to promote greater interracial understanding and reduce conflict.

The typical enforceable law prohibits discrimination in hiring, firing, promotions, or working conditions, and also forbids employment agencies to discriminate in accepting or referring applicants. Labor unions are regulated similarly in their admission policies. Questions and statements in application forms, advertisements, brochures, or interviews relative to race, religion, creed, or national origin are specifically outlawed.

The law is administered by a commission which receives and investigates complaints filed by those alleging discrimination. Sometimes the commission is empowered to initiate an investigation itself. Reliance is primarily upon education, persuasion, and conciliation in administering the nondiscrimination policy. However, if voluntary conciliatory methods fail, the commission may issue a cease-and-desist order against the violator. If its order is defied, the commission may then petition

for a court ruling to compel compliance. Relatively few court orders have been issued under the state and local statutes; most cases are settled in an earlier stage of processing.

When a complaint of discrimination is received, an investigator is assigned to determine the facts in each case. Often the entire employment policy of the firm is reviewed. Complaints may be filed by the aggrieved person himself, or in many cases by the commission, a designated public official, an employer whose employees refuse or threaten to refuse to comply with the law, or anyone with knowledge of discriminatory practices or concern about the problem.

I. PRE-EMPLOYMENT DISCRIMINATION

Most of the laws forbid any inquiries on employment forms or in interviews which would indicate a discriminatory policy. The Minnesota statute contains a reasonably typical clause:

Except when based on a bona fide occupational qualification, it is an unfair employment practice:

(8) for an employer, employment agency, or labor organization, before an individual is employed by an employer or admitted to membership in a labor organization, to

(a) require the applicant to furnish information that pertains to the applicant's race, color, creed, religion or national origin, unless, for the purpose of national security, information pertaining to the national origin of the applicant is required by the United States, this state or a political subdivision of the United States or this state;

(b) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion or national origin.

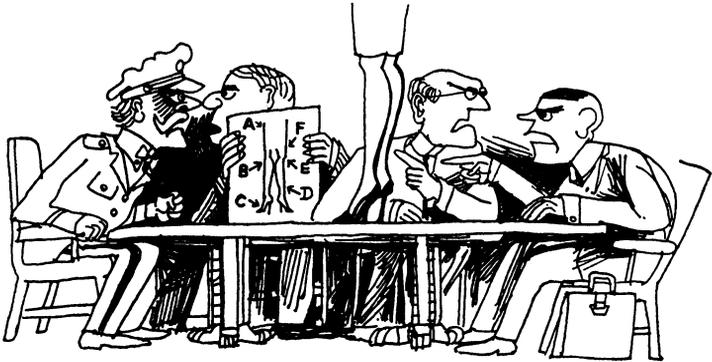
Such a clause rules out not only the obvious questions regarding religion, race, national origin, or color, but also the more subtle forms of discrimination. For instance, the firm may lawfully request the employee to submit a photograph of himself *after* employment, but not before. He may be asked if he is a citizen of the United States, but the question must not be phrased so as to ascertain the country of his birth. The questionnaire may inquire into previous names used by the applicant which have not been changed by court order, but not into the original name when it has been legally changed. The applicant may lawfully be required to list the organizations of which he is a member, provided that their name or character does not indicate the race, color, religion, national origin, or ancestry of the members.

Various other questions concerning education, experience, character, language, color of eyes and hair, and address may be asked so long as they do not elicit information on the applicant's racial, religious, or national background. Questions concerning religion, color of skin, birthplace of applicant or of his parents and relatives, or nationality and descent are always illegal except where required by security regulations or permitted by the commission.

A few specific examples will demonstrate how state and local agencies operate to eliminate discrimination in hiring:

In New York State, a complaint was filed against a baking company by a job applicant, claiming that the company refused to hire him because he was a Puerto Rican. He had been informed on the telephone that a clerk's job, about which he had inquired, was open. But when he arrived at the company's office 45 minutes later, he was told that the job was filled. A member of the New York State Commission Against Discrimination was assigned to conduct an investigation, and found probable cause to justify the allegations of the complaint. The firm had actually hired a clerk (since resigned) two days after the complainant had been told the job was filled. Though the firm's president denied any discrimination, only two Negroes, a mechanic and a cleaning woman, and three Spanish-speaking employees were found among the personnel of 120. The firm agreed to the commissioner's proposal that the complainant be sent for, interviewed, and hired if qualified. The firm sent a letter to the complainant asking him to appear for an interview, but no reply was received. The position was subsequently filled. The complainant later declared that he had been out of town when the letter came, but the investigating commissioner agreed with the firm that the job could not be held open indefinitely. As in all such cases, the commission reviewed the company's general employment policies to determine if any other discrimination was practiced.

Another New York case involved a young Negro girl who had been referred by the Urban League to an airline company that had advertised for flight hostesses. She passed both the required physical examination and intelligence test, but was rejected for the job. She attributed her rejection to discrimination.



The company answered that she was rejected because of appearance, specifically a “poor complexion,” “unattractive teeth,” and legs that were “not shapely.” The investigating commissioner inquired into the case, and with staff members he interviewed the girl and observed her appearance. “We are unanimous in our opinion that respondent’s objections to complainant’s physical appearance are not factually accurate and cannot be accepted as valid reasons for her rejection.” In nonlegal language, the commissioner and his aides made an official finding that, among other things, her legs were “shapely.”

He decided that the girl met all the qualifications required for the job of airline hostess and that the reason for her rejection was simply her color. In confirmation of this opinion, he cited the fact that the airline had never hired a Negro in any flight capacity, including that of hostess. When conciliation efforts failed, the commissioner ordered a public hearing. Hearings were adjourned on condition that the airline make interim reports on its progress in effecting a nondiscriminatory policy.

Finally, the airline made a definite commitment to hire a Negro girl as flight hostess by May 12, 1958, and the complainant then withdrew her complaint conditional on such hiring. The company hired another Negro girl and placed her in training school, but a physical examination revealed a disability which would be aggravated by active flight duty. Subsequently, the commission was informed by the airline that it had hired a Negro girl who had successfully completed the training course and is now regularly employed as a flight hostess.

Some of the cases encountered by FEP agencies involve unusual and delicate problems. In Minnesota, the manager of an employment agency contacted the Fair Employment Practices Commission and informed it that an employer had requested him to recruit young ladies with an oriental appearance to fit the motif of a new office. The agency wanted to place an ad reading: "Look oriental? New office with oriental motif needs receptionist and PBX operator to fit in with decor." The commission decided that employers have a right to create a

particular kind of atmosphere in an office and thus okayed the ad, on condition that specifications of this type must not be used as a pretext for excluding persons of different racial, religious, or nationality backgrounds.

In Minneapolis, a Negro woman applied at a department store in answer to a newspaper advertisement for a sales girl. At the employment counter, before she had had a chance to specify for what job she was applying, a girl sitting behind the counter said that all jobs had been filled. After the complainant explained that the particular job in which she was interested had been advertised for the first time in the newspaper that same morning, she was then told to fill out a card and leave it on file. Since the ad had just appeared, it was now only 9:30 a.m. when the store was opening, no other applicants were present, and the receptionist was cool and unfriendly, the Negro job seeker suspected that racial discrimination might be in effect. After an investigation by the Minneapolis FEPC, the store offered her a job as a sales person, and the case was closed as having been satisfactorily adjusted.

In early 1950, the California Department of Employment established a minorities program on a statewide basis. Two Minority Employment Advisory Committees were formed, one in the northern area and one in the southern area, to advise the State Director of Employment and specifically the respective Area Managers on the development of the department's nondiscrimination policy.

On October 3, 1951, the director transmitted the policy to all public employment offices in the state, with regulations and procedures for making every effort to persuade employers to eliminate nonperformance specifications, relating to race, creed, color, or national origin, on job orders placed with the department. Where the employer declined to lift such specifications, the regulations required that the order be canceled and referrals refused. Included in the manuals for local office operation were the concept of merit employment, the impact of discrimination, and techniques for applying the policy in practice by department employees.

The policy has been reinforced by the development of a standardized formal training program to insure that every employee recognizes and carries out his responsibility under the nondiscrimination directive. A permanent staff official designated as Minority Specialist is assigned to each of the two areas to supervise the program.

2. ON-THE-JOB DISCRIMINATION

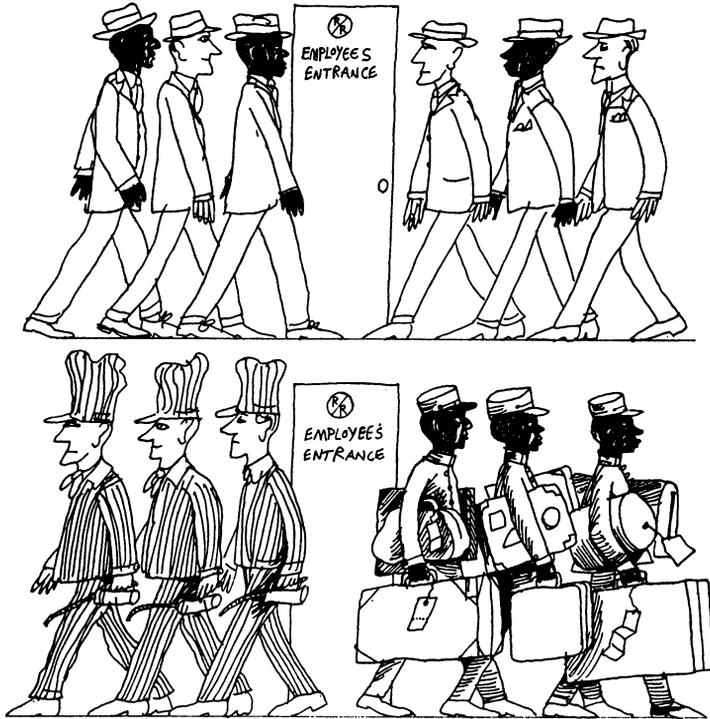
FEP laws cover racial or religious discrimination after an employee gets the job, as well as before. Promotion, discharge, availability of facilities, and similar factors must be administered on a nondiscriminatory basis. Again, the FEP agency must look behind the overt or stated policies of the firm and make sure that segregation is not being practiced indirectly.

For instance, the New Jersey Division Against Discrimination received a complaint from a Negro worker in a company which had a policy against interdepartmental transfers. Negroes were then concentrated in a single department, and the company policy thus had the effect of restricting their upgrading opportunity. The company often hired new workers to fill vacancies. The division reviewed the promotion policies of the firm and persuaded the company to change its position. The Negro employees could thereupon be advanced to the higher-level jobs if they were qualified.

A Seventh Day Adventist charged, to the New York State Commission Against Discrimination, that he had been discriminated against because his days off at a hospital had been switched from Friday and Saturday to Thursday and Friday, thus requiring him to work Saturdays. He claimed this was religious discrimination because it compelled him to work on his Sabbath. The hospital responded that the change was essential, made possible an occasional weekend off for other hospital attendants, and required the Adventist to give up only one Saturday a month. The investigating commissioner found no evidence of discrimination, but asked the hospital to try to arrange work schedules so as to conform with religious obligations.

Quite frequently, the problem confronting the state fair employment practices commission, or other agencies working in this field, is not merely one of making jobs available to minority groups, but rather one of establishing opportunities for them in specific skilled

jobs. A great many firms use Negroes or other minority group members for low-paid menial jobs, but will neither hire them for nor promote them to skilled classifications.



The presence of Negroes in the work force, therefore, does not necessarily indicate an absence of discrimination. If company policy confines Negroes to certain jobs and effectively excludes them from others, the commission is obligated to seek the removal of such barriers.

As an example, the New York State Commission Against Discrimination and the New Jersey Division Against Discrimination conducted a joint study of railroad employment in those two states. Their survey ascertained that Negroes have found the least employment in the operating branches of the industry, and the most extensive employment in nonoperating transportation, as chefs and porters, waiters, station attendants, common laborers, and similar unskilled jobs.

In the category of "Transportation Exclusive of Operating," 29.6 per cent of the 17,302 employees in June, 1957, were Negroes. In the category of "Operating Transportation," less than 1 per cent (118) among the 20,099 employees were Negroes. The conclusion of the report is bluntly stated:

With the information before us, we see clearly that the historic assignment of Negro workers to menial tasks in the railroad industry continues to be a fact; at the same time, the appearance of some Negro workers in the category of operating transportation, where in the past they have not been employed, indicates plainly the possibility of a wider extension of opportunity for the Negro workman here, as in other categories.

3. THE IMPACT OF FAIR EMPLOYMENT PRACTICES LEGISLATION

It is difficult to measure the precise impact of a fair employment practices law. In order to determine its effect, we must obtain information on the increase in

employment opportunities for minority groups resulting from the direct or indirect influence of the act. A mere rise in the total of minority group members employed need not indicate a lessening of discrimination. It may only reflect a long-run expansion in population and labor force, with no real change in the pattern of employment. As indicated before, the aim of FEP is to open up new types of jobs for those previously excluded, and not merely to provide further employment in menial work.

Evaluation is made more difficult by the fact that FEP intentionally inhibits the accumulation of data on the racial, religious, or nationality composition of the work force. The questions which must be asked in order to determine such composition are precisely those which an FEP commission could easily consider discriminatory. A firm receiving a request for statistics on the number of Negroes, Jews, or Puerto Ricans it employs might well respond that it deliberately avoids making such a determination for fear of arousing the type of suspicion, prejudice, or anxiety which FEP is designed to eliminate.

The oldest state FEP law, and therefore the one that has produced the greatest volume of factual and statistical evidence, is New York's, enacted in 1945. Looking back over its 12½-year record, the State Commission Against Discrimination in 1957 concluded that impressive strides had been made "towards the prevention and elimination of discrimination in employment in New York. Increasingly, hiring and upgrading are based on merit and not on factors of race, creed, color, or national origin." Morroe Berger, in a study of the New York law,

declared that "undoubtedly . . . the Ives-Quinn law has reduced the amount of discrimination in employment and has opened new job opportunities to members of minority groups."

Over the period July 1, 1945–December 31, 1957, the commission reported a total of 1,654 investigations of employers, in which discriminatory patterns were found and adjusted in 888 cases (54 per cent); 164 investigations of employment agencies revealed 119 discriminatory patterns which were adjusted (73 per cent); and 126 investigations of labor unions uncovered 60 (48 per cent).

Because of the emphasis on education and informal conciliation, the full legal force of the New York law is seldom exercised. Indeed, a high percentage of complaints are found to be baseless, and no action thereon is taken. There is evidence that the commission proceeds with great caution in this area, emphasizing a general reduction of discrimination rather than the adjustment of individual complaints. The complaint mechanism is primarily a means by which the commission can "educate" employers and unions in a given industry and thereby achieve a long-run change in policy.

The experience of other state commissions is much the same. All have emphasized the educational aspects of their function and have minimized the likelihood of frequent resort to legal compulsion. In its first annual report, in 1957, the Pennsylvania Fair Employment Practices Commission stated: "It is to be emphasized that the Commission will operate in such a fashion as to avoid any punitive approach that might result in harassment of employers."

Much of the impact of FEP legislation is indirect. As in the case of the nondiscrimination clause in contracts, perhaps a major effect of enforceable legislation is to bolster the position of employers or unions which are prepared to accept greater minority group employment but fear resistance from present employees and the general public. A nondiscriminatory policy can then be "sold" on the basis that the law requires it. Once the racial and religious barriers have been breached, prejudice often melts away as a greater mutual understanding overcomes the traditional stereotypes.

VI. Private Campaigns Against Discrimination

BY NO MEANS has all the impetus for merit employment come from governmental action. Indeed, startling advances in this area in recent years have emerged out of private efforts to reduce or remove discrimination in employment. Business, labor unions, and various private organizations have sometimes initiated programs designed to achieve this end through voluntary means.

From a business viewpoint, a major advantage of merit employment lies in the expansion of the pool of qualified workers. The hiring of trained employees, regardless of race or religion, is therefore as much in the interest of management as in the interest of minority group members. Many employers and employer groups have declared that the hiring of minority group workers makes good business sense.

Behind this reasoning is the fact that in many states the nonwhite population is increasing rapidly. In 1954, California, New York, and Illinois had the largest nonwhite populations outside the South, and Illinois had a

higher proportion of nonwhites than any other northern state. Testifying before a senatorial subcommittee in 1954, Henry L. Kohn, chairman of the employment committee of the Illinois State Commission on Human Relations, noted that the rise in nonwhite population in that state was 69.5 per cent from 1940 to 1950, while the white population rose only 7.2 per cent during the same period. The Illinois State Chamber of Commerce pointed out in 1956 that the white population had risen from 8,046,058 in 1950 to only about 8,275,000 in 1955, while the nonwhite had increased from 666,118 to 1,086,000.

The Los Angeles County Commission on Human Relations reported in mid-1958 that since 1940 the total population of Los Angeles County had increased by about 110 per cent, while over the same period the Mexican-American population had risen by almost 200 per cent and the Negro population by more than 500 per cent. In Los Angeles County, 22.5 per cent of the total population consisted of persons of Negro, Mexican, Jewish, or Oriental background in mid-1958, and in the city of Los Angeles the corresponding percentage was 38.6. Between 1950 and 1956, more than one third of all those added to the city population were Negroes.

According to the Commission on Human Relations, the total minority group population of Los Angeles County, including about 375,000 Jews and 70,000 Orientals, approximated 1,500,000 persons in mid-1959. In 1956, there were 28 census tracts with 75 per cent or more nonwhite population, an increase of 50 per cent over 1950, and 24 census tracts with a nonwhite popula-

tion of 50 to 75 per cent, a rise of approximately 170 per cent over 1950.

By 1970, according to the commission's estimate, the population of visible minority groups in the city of Los Angeles may be in excess of 50 per cent, if existing trends continue. It has been estimated that the nonwhite population of Chicago, presently 19 per cent of the total, will be 33 per cent by 1970, and that Negroes and Puerto Ricans will constitute 45 per cent of New York City's population by that year. "Minority" groups now constitute a majority of the population of Washington, D.C.

Many employers therefore feel that business must make increasing use of minority group members in order to meet its need for skilled and semiskilled workers. With an accelerated growth in gross annual product, scarcity of skilled labor may well become an acute problem.

1. TYPICAL MANAGEMENT EXPERIENCE WITH MERIT EMPLOYMENT

In late 1955 and early 1956, staff members of the Illinois Commission on Human Relations conducted a survey of 100 selected firms in that state. The sample was chosen so as to be representative of Illinois industry in terms of size, location, and type of work force. All the companies interviewed had employed minority group members.

The purpose of this survey was to get the facts on merit employment—its motivation, techniques, and re-

sults. The picture painted was one of successful application of merit employment principles in all firms which had adopted the policy.

The great majority of employers listed economic factors as the initial reasons for adoption of merit employment, though about one quarter stressed moral motives. Most of them started the policy without outside assistance, recruiting minority group employees from the following sources, ranked in order of frequency: walk-ins and employee contacts, Illinois State Employment Service, private employment agencies, newspaper ads, social agencies, schools, and unions.

Most of the firms—72 out of 100—reported no segregation of any kind in their work force. Among the minority which reported some form of segregation, in many cases this was simply a holdover from the early days when nonwhite employment was first introduced. Companies initiating a merit employment policy now tend to apply it consistently throughout the plant. This survey indicated that all types and sizes of firms, located throughout the state, have achieved success in adopting and implementing a nondiscrimination policy. All employers interviewed regarded their merit employment program as successful.

A number of prominent American corporations—Radio Corporation of America (RCA), International Harvester, Pitney-Bowes, and the leading steel, automobile, and aircraft manufacturers—have successfully pursued nondiscriminatory policies for many years. Describing the results of merit employment to a U.S. Senate

committee, President Frank M. Folsom of RCA stated in February, 1954, that "we have seen doubts and reservations vanish in the willingness of people in all classifications to work together productively in harmony and friendship, regardless of differences in color or religion."

The aircraft industry now employs thousands of minority group members, some of whom occupy technical, professional, and supervisory positions. This has been accomplished without friction and with economic benefit to the companies concerned.

Certain of the large public utilities of Southern California have had long experience with merit employment. Even in those instances where Negroes have been employed as servicemen to adjust and service equipment in the homes of customers, both white and Negro, no complaints of any significance have been registered on the basis of racial prejudice. Negroes and other minority group members have been assigned to a variety of positions, including some which require contact with the general public, with no harmful or unpleasant results. In some instances, the major obstacle encountered has simply been the scarcity of qualified job applicants from minority groups.

In large firms, the successful adoption of merit employment often depends on the attitude of top management and the industrial relations staff. Where a key executive interests himself in the problem and actively undertakes to encourage a nondiscriminatory policy, concrete results are likely to follow. The experience of one public utility has been that a determined effort

along these lines by management can overcome the fears and hostility sometimes expressed by group supervisors.

In the Los Angeles area, an informal committee of business leaders was organized in 1951 under the name of Management Committee on Merit Employment. With representation from top management in the fields of manufacturing, retail trade, banking and finance, law, and education, this committee has carried on an educational program designed to reach all levels of management through existing trade and industrial organizations. Its work is based on the premise that once top management accepts merit employment, subordinate levels will more willingly implement the policy. A companion committee, Industrial Relations Committee on Merit Employment, has been formed among personnel and industrial relations directors.

These two committees have cooperated with 28 management and personnel groups in developing educational programs on merit employment. Members have participated in seminars, institutes, and meetings designed to advance this concept. Through such projects, the committees help to establish a more favorable climate within business and industry for the practice of merit employment.

Even in the insurance field, where the employment of Negroes in white-collar jobs has been rare in the past, progress has been made in recent years. One large insurance company employs members of various races, religions, and nationalities in clerical and some supervisory and administrative positions. No major problems

have arisen in the implementation of this policy. Even the hiring of Negro girls as clerical workers and stenographers has caused no difficulties, despite the fact that the employment of Negroes in office jobs is often regarded as the toughest test of a nondiscriminatory program.

No discrimination is permitted in any phase of the company's operations, including its social activities. Top management has worked closely and continuously with the personnel department and with all levels of the administrative staff to make the program effective. From management's viewpoint, the employment of minority group members in nontraditional classifications has had gratifying results. Other insurance companies have recently been hiring Negroes in office jobs.

One major west coast department store chain has employed Negroes as sales clerks in one of its stores, with virtually no overt customer resistance manifested. The same concern has successfully placed Negroes in supervisory and administrative jobs in which they outrank white employees. Negro secretaries have been introduced in various departments, through normal procedures and without special orientation, with generally favorable results. A Negro has been promoted to a responsible position in charge of the claims office, which processes claims against suppliers and manufacturers for incorrect billing and similar items. This job requires the occupant to come into contact both with outside firms and with buyers within the company, and demands

tact and diplomacy. The Negro employee has mastered the job requirements with skill.

Employees of Jewish, Oriental, and Mexican backgrounds have also been employed in a variety of classifications, including clerical, sales, professional, and supervisory jobs. Again, no opposition has been evidenced either from the store's customers or its other employees.

No special hiring procedures have been used in this company, although most of the Negro clerks and clerical personnel have been transferred or upgraded from other positions in the organization. Performance of minority group workers on the job is about the same as that of other employees.

2. UNIONS AND MERIT EMPLOYMENT

Many unions in the United States have conducted a long-term campaign for merit employment. The official position of the AFL-CIO is clear and unequivocal: all forms of racial and religious discrimination in employment are iniquitous and member unions are pledged to eliminate them wherever possible.

To implement this policy, the AFL-CIO has created a Civil Rights Committee under the chairmanship of Charles S. Zimmerman and a Department of Civil Rights under the directorship of Boris Shishkin. Their task is twofold: to develop and carry out a program for the strengthening of civil rights generally, and to eradicate

any traces of discrimination within the union movement specifically.

An early pioneer in the fight against racial discrimination was the United Mine Workers, which even in southern regions has admitted Negroes to full membership and participation in union affairs. Unions such as the United Automobile Workers, the International Union of Electrical Workers, the United Steelworkers of America, the United Packinghouse Workers of America, the International Ladies' Garment Workers Union, the Amalgamated Clothing Workers, the Oil, Chemical and Atomic Workers International Union, and many others have initiated programs to eliminate discrimination in union ranks or within their respective industries. AFL-CIO President George Meany and UAW President Walter Reuther are members of the President's Committee on Government Contracts, and union representatives Boris Shishkin, George L-P Weaver, and Victor Reuther are alternates.

A number of unions have negotiated specific antidiscrimination clauses in their contracts. Local 770 of the Retail Clerks Union, Los Angeles, has introduced such a clause into its agreement with grocery store employers in that area, providing in part:

Selection of applicants for referral to jobs shall be on a non-discriminatory basis and shall not be based on, or in any way affected by, Union membership, by-laws, rules, regulations, constitutional provisions, or any other aspect or obligation of union membership, policies or requirements, race, color, creed, national origin, age or sex.

The employer, however, may consider age and sex where it can be reasonably shown that these are factors in qualifications for the job.

This clause is somewhat unusual in that it specifies age and sex as bases for potential discrimination. Merit employment, of course, would require employers to abandon discrimination against qualified women and older applicants, as well as against members of racial, religious, or national minorities.

In a number of industries, particularly the mass-production industries of the North and West, unions have worked closely with management in combating discrimination. Several have special antidiscrimination committees: for example, the United Steelworkers' Committee on Civil Rights, the United Automobile Workers' Fair Practices and Anti-Discrimination Department, and the United Rubber Workers' Fair Practices Committee. Most of these committees have counterparts within the union locals which help Negroes and other minority workers in filing grievances either with management, the President's Committee on Government Contracts, or state and local FEP agencies.

But discrimination does remain a problem in several unions. As one example, for years a number of qualified Negroes were denied membership in Local 38 of the International Brotherhood of Electrical Workers, in Cleveland. Only when the Cleveland Community Relations Board took action against the local was it finally persuaded to admit some Negro electricians. Many similar examples could be cited. Within several international

unions, some locals are discriminatory and others are not.

Seldom is racial or religious discrimination spelled out in a union constitution. Usually the process is camouflaged so that the rejected applicant for membership is not informed of the real reason for his rejection. He is merely blackballed under a constitutional requirement that a new applicant must be acceptable to present members of the local, or through equally informal means. While the Taft-Hartley Act provides that an applicant who tenders his initiation fee and dues may not be denied an available job under a union-shop agreement, even though he is disqualified from membership on racial or religious grounds, his inability to join the union will deprive him of certain rights and benefits enjoyed by other workers.

A few railroad unions have a clause in their constitutions stating that only "whites" are eligible for membership. Those affiliated with the AFL-CIO, however, have been directed to eliminate such clauses. The Brotherhood of Railroad Trainmen did so at its January, 1960, convention.

Other unions have accepted Negro applicants but only on a segregated basis. In 1957, for instance, a Negro employed as a receiving clerk on a railroad complained to the New York State Commission Against Discrimination that the union (Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees) maintained a separate local for Negroes. A commission investigation disclosed that this was indeed the case. The union agreed to a proposal that it end its policy

of segregation, and was granted a reasonable period of time in which to make the change. As of mid-1959, the merger had not yet been accomplished.

The policy of unions active in the southern states varies considerably. Several of them maintain a consistent opposition to segregation or any other form of discrimination, even where community sentiment is strongly to the contrary. This is particularly true in those instances where a given corporation has plants in various parts of the country and generally has contracts with the same international union. The tendency here is to preserve parallel nondiscriminatory policies in all plants. In some cases, however, unions have felt it necessary to modify or abandon their antidiscrimination position in order to retain membership in the South.

The experience within unionized plants in areas where strong racial feeling exists, described in some detail later, has been that discrimination can be effectively overcome only if *both* the union and the employer take a firm and unyielding stand against it. Weakness and vacillation on the part of either one invariably give prejudiced trouble-makers an opportunity to undermine morale in the plant.

3. COMMUNITY ATTACKS ON DISCRIMINATION

The war against discrimination in employment is waged on many fronts. Sometimes the pressure for merit employment comes from spontaneous economic forces generated by labor scarcity, population shifts, or

similar factors; on other occasions, political or social forces often represented by government and organized labor serve as catalysts. Much of the credit for progress in this area must go to private organizations and groups which work continuously with labor and management for the achievement of greater employment opportunities for minorities. Here we examine the programs of two community agencies which have permanent staff members concerned exclusively with the problem of employment discrimination.

The National Urban League has long experience in the field of minority group employment. Founded in 1910, this interracial agency concentrates on assuring greater equality of economic opportunity for Negroes and members of all groups which suffer from discrimination. Working in the fields of industrial relations, vocational guidance and training, housing, health and welfare, and related areas, the Urban League serves in part as an intermediary between businesses seeking qualified employees and minority group members seeking jobs. Community affiliates of the Urban League are organized in areas with large minority concentrations.

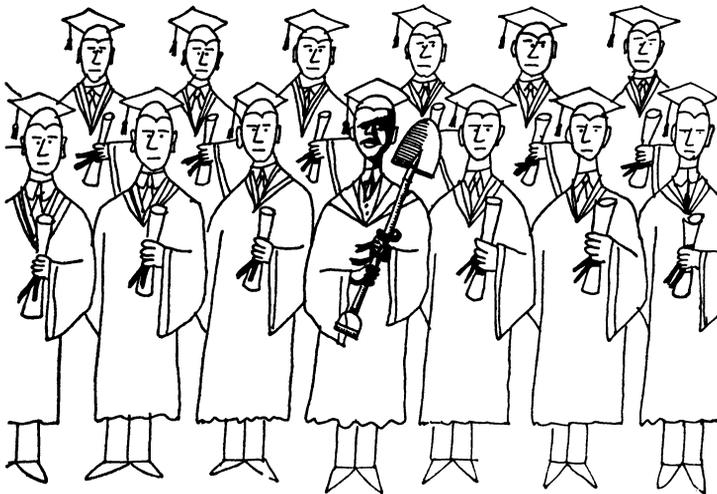
Practical and systematic in its approach, the Urban League deals with the problem of discrimination in a variety of ways. In the employment area it has two fundamental goals: to persuade businesses and unions to drop discriminatory practices, and to increase the supply of trained workers among Negroes. As job opportunities expand for Negroes and other minorities, the second goal assumes increasing importance.

The League and its affiliates provide a continuing service to industry through informational, consultative, and recruitment programs, by which employers are assisted in finding qualified Negro workers. Though they do not operate employment agencies as such, the local Leagues often receive and fill specific requests from employers for Negro applicants having particular skills or experience. Further, they work in close cooperation with the U. S. Employment Service, state employment agencies, the President's Committee on Government Contracts, unions, business organizations, and others in developing new opportunities for Negroes.

Advising the National Urban League on its industrial relations program is a Commerce and Industry Council currently headed by Winthrop Rockefeller and containing representatives of many of the leading business enterprises in the country. Once again, much emphasis is given to securing the assistance of prominent industrial leaders in the campaign for merit employment.

An important part of the Urban League's program is vocational guidance. Thousands of skilled Negro scientists, technicians, engineers, and professional workers could be placed in jobs immediately if they were available for employment. Understandably, the long-time existence of discrimination has persuaded many parents and vocational advisers that it is a waste of time and effort for Negroes to prepare themselves for the highly skilled jobs in American industry. Even today, however, jobs are available for Negroes which cannot be filled because of inadequate training.

One indication of the underemployment of Negroes in this field is the fact that out of approximately 28,000 engineers graduated in 1958, less than 200 were Negroes. The Urban League seeks to overcome this shortage of trained Negroes by a number of specific programs. Cam-



paigns have been conducted to keep Negro youngsters in school and persuade them (and their parents) to finish their education. "Vocational Opportunity Campaigns" and career conferences are sponsored, primarily at the high school level, to inform young Negroes of job opportunities and to motivate them to acquire the necessary skills.

A new program recently undertaken by the National Urban League is TST—Tomorrow's Scientists and Tech-

nicians. Sparked by a National Advisory Committee of outstanding scientists and technicians, this campaign is designed to encourage Negroes to seek careers in specialized fields. The effort has two aspects: to keep young people from dropping out of high school, and to encourage the entrance of talented high school graduates into college. Working with secondary school counselors and principals, the League organizes clubs which enable youngsters to visit college campuses, attend plays, take trips to research centers and science exhibits, and talk with community leaders. In some cases, financial help is arranged for outstanding high school and college students.

In helping to establish merit employment, the Urban League cooperates with employers and unions in preparing the way for the pioneer Negro employees. The League helps provide highly skilled Negroes for top professional jobs through its Pilot Placement Program. As we shall emphasize later, it is usually important to select the first minority workers carefully, as their impression upon fellow employees will largely determine the ease or difficulty of the transition to merit employment.

In Los Angeles, the local League's "Job of the Month" campaign spotlights available opportunities for Negroes. Though generalizations are dangerous, the League's experience indicates that merit employment usually meets less resistance in large firms and in blue-collar jobs than in smaller firms and in many white-collar jobs. Recent progress has been made, however, in the latter categories.

Other community organizations are equally active in the movement for merit employment. In the Los Angeles area, the Jewish Community Council (now the Jewish Federation-Council of Greater Los Angeles) established the Personnel Relations Bureau some years ago as a specialized agency concerned entirely with the problem of discrimination in employment.

The attack on employment discrimination is undertaken by the Bureau on three major fronts:

1) General educational programs, designed to secure acceptance by business and industry of the principle of merit employment and to help establish a climate in the community increasingly favorable to the practice of nondiscrimination. For this purpose, the Bureau works directly with employer and personnel groups, trade associations, government agencies, and others. These programs seek to dispel fears and stereotypes. Successful experiences with merit employment are cited, and information is presented to demonstrate that hiring on the basis of qualifications does not produce difficulties either with rank-and-file employees or with customers. The programs also emphasize the economic waste of discrimination and, conversely, the economic advantages that accrue from the practice of merit employment. Depending on the group, the moral aspects of the problem are discussed, in terms of the importance of closing the gap between our democratic precepts and our practices.

2) Special industry and group programs, through which top management representatives and personnel directors are encouraged to review employment policies in their specific areas. These programs promote merit employment on an industry level.

3) Individual conferences with management and personnel, which concentrate on employment problems within the organization. Here the Bureau attempts to deal constructively with economic aspects of discrimination, specific fears and stereotypes, and related matters covering the range of its general educational program. The purpose is to induce the employer to adopt merit employment.

A significant part of individual conferences, as well as group programs, is the Bureau's "Check List" of procedures tending to insure the practice of merit employment in an organization:

1) There should be a clear statement of the merit employment policy of the company, preferably in writing, such as: "Hiring and promotion for all positions shall be on the basis of qualifications, irrespective of race, religion, or nationality."

2) This policy should be made known to all members of the personnel and employment departments, including preliminary interviewers and receptionists. A key area is the employment department. Orientation of its personnel is important to insure that the principle of merit employment is applied in practice.

3) The policy should be made known to all department heads and supervisors, again to assure the practice of merit employment.

4) The employer should advise recruiting sources of the company's merit policy.

5) The merit employment policy should be included as part of the "personnel handbook" made available to each employee.

6) All discriminatory items should be eliminated from employment forms.

In all individual and group programs, the Bureau works with those people who have an important stake in the employment field—employers, personnel men, placement agency executives, and others—and who are in a position to do something about the problem of discrimination. It is also concerned with various facets of the problem of motivation of minority group members and communication of information about job opportunities available to them.

The National Conference of Christians and Jews concentrates on an educational program which enlists the participation of businessmen, union leaders, personnel directors, and university representatives in discussing the problem of prejudice and promoting merit employment. The National Association for the Advancement of Colored People emphasizes legal, legislative, and educational measures designed to eliminate discrimination in all areas. The Congress of Racial Equality also conducts an extensive campaign against discriminatory practices, as does the American Friends Service Committee (Quaker). AFSC carries on a Job Opportunities Program involving thousands of interviews with employers and job applicants to promote merit employment. The Young Men's and Young Women's Christian Associations, the National Council of Churches, the National Catholic Welfare Conference and the Catholic Youth Organization, and many agencies of the Jewish community—the Anti-Defamation League of the B'nai B'rith, the American Jewish Congress, the American Jewish Committee, the Jewish Labor Committee, and local

Community Relations Committees—concern themselves with various aspects of the general problem of discrimination. The Japanese American Citizens League and the Community Service Organization, and, at the local level, the Council of Mexican-American Affairs in Los Angeles, the Community Relations Conference of Southern California, and the Bureau on Jewish Employment Problems in Chicago, are among the important organizations working on some part of this problem. Literally hundreds of private groups are active in this field in varying degrees, attacking racial and religious discrimination either on a broad front or in specialized areas.

VII. Merit Employment: Techniques, Problems, and Results

MERIT EMPLOYMENT is no longer a hypothetical issue in much of American industry. Years of practical experience with it have produced an abundance of factual information on its operation, problems, and results. The evidence is available for our examination.

The lessening of discrimination in employment has had an impact on several groups within American society. The minorities themselves have been profoundly affected by the changes that have been made. Many employers have been influenced to revise their views and their policies as a result of their observation of or experience with minority group employment. In the process a great many long-cherished stereotypes about such minorities have been shattered.

The outstanding fact about merit employment is that it works. The crises and difficulties so often anticipated seldom materialize. With foresight and planning, and

sometimes with no special preparation at all, the transition to nondiscriminatory employment almost always is smooth and uneventful.

I. MINORITIES IN THE WORK FORCE

The growth of merit employment in this country has outdistanced the preparation and training of some minority group members for the available jobs. Long barred by discrimination from most technical, skilled, and white-collar jobs, they may sometimes fail to reorient their vocational plans so as to take advantage of existing opportunities. Perhaps the major difficulty is that many thousands are totally unaware of the availability of nontraditional jobs.

It is ironical that some of the available jobs are near the top of the industrial hierarchy, whether in terms of skill, prestige, or income. With severe labor shortages in such fields as engineering, science, and research, members of minority groups can secure many such high-level jobs *if* they have the necessary training. A sizable proportion of such workers, however, think and plan only in terms of menial work.

Figures from the U. S. Bureau of the Census show that the median schooling of white workers 18 years old and over was 12 years, while the corresponding median for nonwhites was 8.4 years, as of March, 1957. The education of nonwhites continues to lag behind that of the whites, though gains have been made in recent years. The educational opportunities of nonwhites must be

improved if members of minority groups are to be adequately trained for more skilled jobs.

From the viewpoint of a minority group worker seeking a job, the unskilled and certain highly skilled occupations now offer the fewest obstacles. Negroes and other minorities have long been employed in unskilled jobs, and resistance to them is relatively slight. The application of merit employment principles to some of the high-level jobs is also comparatively easy, because there is a shortage of qualified applicants and the objectivity of the job standards (technical proficiency, academic degrees, and successful completion of examinations) is such that racial or religious prejudice and similar purely subjective factors are less likely to influence the selection of the employee. Also, the professional or technical worker often functions more or less independently, so that social or public relations contacts are somewhat minimized.

A difficult area, particularly for Negroes, is in certain categories of white-collar employment. Clerical, office, and sales jobs often involve relationships with customers and the general public. It is here that factors of temperament, personality, and status can become of great importance. One factor which may restrict the employment of Negroes in these jobs is the impact which the presence of Negroes in the office may have upon the "prestige" of those currently employed in the job classifications, because of the past identification of Negroes with low-status jobs. An employer may use the excuse that a Negro employee would not "fit in." Stereotypes

may affect the attitudes of present personnel toward Negroes, Orientals, Mexican-Americans, Puerto Ricans, Jews, Catholics, and others. In the case of sales jobs, employers may fear adverse reactions from customers if minority salesmen are hired, and are thus unwilling to take the risk of losing accounts.

Actual experience seldom supports these fears. There are many instances where Negroes, Orientals, and others have been employed as secretaries, clerks, and even as sales personnel without difficulty. On the other hand, discrimination still impedes the economic progress of many professional workers from minority groups. Certain professional schools and associations have discriminated against such groups either by denying them admission or by maintaining a subtle but effective quota system, though many of these barriers have been removed in recent years. Some have excellent formal statements of policy but fail to implement them adequately. A great many, however, are now completely nondiscriminatory.

Even where schools now admit minority group members into training without discrimination, they sometimes observe established discriminatory patterns in the placement of such students upon completion of their course. Thus, a school placement office may refuse to refer Negro graduates to firms or institutions where, in its opinion, Negroes are not wanted.

Executive, administrative, and technical jobs remain closed to minority group members in many firms. Minorities are sometimes employed extensively in produc-

tion and even in lower-level white-collar positions, but are denied the chance to rise higher in the job scale. Discrimination may be found at any level of the occupational hierarchy.

There also remains strong resistance to the employment of Negroes in many of the skilled trades, reflected in the discriminatory policies of certain craft unions. The reasons are partly economic (the desire to preserve a "tight" labor market of white workers) and partly sociological (the "prestige" factor). Nevertheless, in view of the expanding job market for minorities, one generalization seems justified: minority group workers with specialized skills and training have a better opportunity to secure attractive jobs today than at any previous time. The problem here is to break down the obstacles created by inertia, ignorance, and tradition. Where a particular pattern of employment has long been pursued, minorities inevitably restrict their job search to those industries and occupations where they have achieved the greatest success in the past.

This problem can best be met at the secondary school level. The counseling and training of minority youth will determine whether they merely pursue the familiar employment paths or prepare for new, nontraditional careers. Agencies of both the federal and state governments, private organizations such as the Urban League, and the schools share responsibility for reorienting young people at the junior high school, high school, and college levels.

Here the community agency plays an important role. For example, by informing parents of future job opportunities for their children, it can at least induce them not to discourage youngsters from entering nontraditional careers. Too often, the parents are unaware of the changes in the job market that have occurred since they themselves searched for work.

The school counselor also performs a crucial function. Unless he keeps well informed on current job trends, there is a danger that he will automatically guide minority students into the traditional unskilled occupations. In every major community where minority group concentrations are found, community agencies will supply material to and cooperate with vocational counselors in making them aware of available jobs. The President's Committee on Government Contracts, on the federal level, and the public employment service, on the state level, also work with counselors in providing information and motivating young people to acquire skills.

School placement offices should refer their students on a nondiscriminatory basis. This policy can pay dividends in unexpected ways. A trade and technical school in the Los Angeles area, which observes a strict policy of non-discrimination in its referrals, once received a request for a qualified printer from a firm that had previously refused to hire Negroes. Despite the firm's past discrimination, the school referred an outstanding Negro student whose qualifications were such that the employer defied precedent and gave him a job. His work proved so excellent that the school received another request

from the firm: "Send us more Negroes." The school continued its policy of referring the best qualified students regardless of race.

Discrimination hinders the progress of minority groups in many areas of life. Forced by segregation into sub-



standard housing, and often denied adequate educational opportunities (particularly in the rural South), members of such groups may lack the opportunity to learn the social skills considered necessary in making a favorable impression on prospective employers. In addition, some encounter language problems.

In view of these difficulties, some high schools train their students in proper behavior and dress at a job interview. Through role-playing and other devices, students have a chance to learn what sort of deportment employers expect of them. These are not, in any sense, educational "frills." In a competitive society, the personal and social skills of an applicant frequently determine whether or not he gets a job or a promotion.

No procedure or educational program is quite as effective in overcoming stereotypes as the actual hiring of a minority group member. A special responsibility therefore confronts the first such employee hired in a particular job or firm. The "pioneer" will be judged not only in terms of his work abilities but also in terms of purely personal characteristics which others may identify with his race, religion, or national origin. He becomes a kind of symbol by which all members of his group are evaluated. As prejudices and stereotypes disappear, new hires will be treated more as individuals and less as symbols.

Just as Jackie Robinson ceased to become a symbol when he was allowed to argue with umpires, hecklers, and other players, in accordance with the traditional prerogatives of any baseball player, so ideally will the minority group worker become accepted as a regular member of the work force. But the transition period can be difficult, from the viewpoint of the worker himself. Appearance can be important, especially in an office or sales situation; a new Negro secretary, for instance, usually must dress conservatively and not flashily. In some areas, the Urban League runs "charm schools" to teach

minority group members the rules of proper appearance and personality.

Informal office or factory banter may give rise to occasional problems. Words creep into the everyday language of many workers which are offensive, intentionally or unintentionally, to minorities (and often to other employees not members of the specific minority group). Some will inevitably arouse antagonism. Intelligent supervision and a firm policy by management can usually prevent serious incidents from occurring. Members of minority groups, however, should avoid super-sensitivity about alleged reflections upon their race, religion, or national origin. Certain terms are used unthinkingly and without maliciousness, more from habit than from prejudice. The process of integrating Negroes and whites for the first time, as one example, involves mutual understanding; the new Negro employee must try to understand and make allowances for his white colleagues, as well as the reverse.

Much of the responsibility for smoothing the transition and maintaining harmony rests upon the workers themselves, both the majority and the minority. Both must be sensitive without becoming oversensitive. A seemingly innocent remark can sometimes cause dissension; some words in common use can be offensive to a sensitive Negro. One prominent California firm experienced several instances where a Negro flared up because someone inadvertently referred to him as "boy," a term that seems to reflect southern attitudes.

One difficulty is that American humor is sometimes based on the racial or religious stereotype—the dialect joke, for example. While such humor may not be maliciously intended, its effect can be harmful to good relations among the various groups. Some workers are misled by the fact that minority group members occasionally tell such jokes themselves. The line between good and poor taste in this area is at best an indistinct one. A “Catholic” joke told by a Catholic, for instance, may have a totally different impact from a similar joke told by a non-Catholic, which might be interpreted by the hearer as expressing an anti-Catholic bias even though the speaker might not intend it. A good rule to follow consistently would be: Avoid references to race, religion, or national origin which could in any way be misinterpreted.

In summary, the relationship among different groups within the work force calls for a strong dose of common sense. Workers should be aware that certain words and phrases are “loaded” so far as members of a specific race or religion are concerned. Members of the minority group, on the other hand, should be equally aware that few of these terms are deliberately intended to be insulting, and that many of them are used so commonly that it would be difficult to find adequate synonyms.

2. MANAGEMENT'S ROLE IN A MERIT EMPLOYMENT PROGRAM

In an earlier chapter, management's generally successful experience with merit employment was reviewed. The examples given there are not unusual, but occasionally difficulties may arise in the implementation of merit employment. As long as management treats all workers equally, neither punishing minority employees with undue severity nor leaning over backward to overlook errors, no serious problem is likely to develop. The most common experience has been that the anticipated crises never occur at all, and that with a little intelligent planning the integration of different groups into the work force proceeds smoothly. Here we examine the techniques and problems involved in effecting this integration, from management's viewpoint.

a. Finding the minority group worker

Sometimes an employer will complain that it is difficult to find qualified minority group applicants, or that Negroes and others never apply at his firm. The obvious answer is that, unless the employer makes it quite clear that he does not discriminate, members of minority groups may simply assume that no jobs are available to them, or they may never be directed to the firm. Oftentimes, then, the employer must take positive steps to encourage applications from those against whom discrimination is commonly practiced.

It is important that the employer inform all recruiting sources that a merit employment policy is in effect and that applicants are to be referred without regard to race, color, religion, or national origin. Unfortunately, such sources in many communities have been used, directly and indirectly, to exclude members of minority groups. Each firm should, therefore, provide affirmative evidence, preferably in writing, of its nondiscriminatory employment practices. The employer may also wish to contact various community agencies that specialize in this field, and secure their help in selecting precisely the right applicants for the jobs.

If the firm has a union contract, the union can be of help in finding applicants for openings. Many unions will cooperate in the nondiscrimination program; some will not. Problems sometimes arise when the union has a selective or restricted admission policy, whether it be directly on a racial basis or simply on the basis of maintaining a tight labor supply. In certain occupations, union restrictions on entrance effectively prevent minority group members from securing a foothold. There are some cases where employer and union deliberately use one another as scapegoats to shift responsibility for a discriminatory policy.

In selecting the first minority group workers, management may find it advisable to establish certain qualifications in addition to the regular work skills. Particularly in a white-collar job, the personality and temperament of the "pioneer" employee will be important. Mainly it is desirable that the newly hired worker have a

pleasant and friendly personality and emotional stability. Much depends, of course, on the nature of the job; a technical job primarily requires professional skill and training, whereas the less skilled occupations involve a greater emphasis on personality factors.

b. Implementing a merit employment policy

There is no set formula for introducing minority group members into the work force. Some firms bring them in at low levels, others at high levels. One survey has indicated that many firms find it desirable to place the first Negro employees in beginner jobs and then advance them on their merit according to regular procedures. Whatever the level of the job first offered, the new employee should be briefed in advance on any problems he might encounter and the ways in which he can meet them. Of equal or greater importance is the briefing of supervisors and, where necessary, other employees in the same department. It must be made clear at the outset that the hiring of minority group workers represents a firm policy of management.

A recent survey of nondiscriminatory firms by Industrial Relations Counselors emphasized that "effective communication within a company of its decision to employ Negroes on the strength of their qualifications was stressed as being of critical importance by the majority of companies whose policy goes beyond mere compliance with law." This survey also underlined the importance of determining the pace and method of application of Negro employment in advance of initial hiring. Some

companies moved gradually, and others moved quickly, but all followed a predetermined plan.

While the ultimate goal is to erase any special treatment of employees, a few preliminary precautions in the early stages of implementing a merit employment policy may sometimes prove advisable. In some situations, companies follow the policy of hiring "pioneer" Negro workers in pairs, so as to reduce their feeling of isolation. However, a survey conducted by the New York State School of Industrial and Labor Relations at Cornell University revealed that some companies pursue exactly the reverse policy, hiring Negro girls individually and deliberately scattering them throughout the work force to forestall their clinging together for emotional security. A prominent Southern California firm hired 16 Negro employees at one time, in classifications where Negroes had never been employed before, and scattered them throughout various departments. The policy has worked successfully. One large aircraft company on the west coast lets the department or group supervisor determine whether any special hiring policy will be adopted, on the assumption that department personnel varies considerably and only the supervisor is in a position to judge the probable reactions of his associates.

Many of the firms surveyed by Industrial Relations Counselors placed the first Negro employees in departments having supervisors who were in sympathy with the nondiscrimination policy and whose leadership was accepted by their subordinates. However, several employers who had adopted these special procedures later

admitted that they were needlessly cautious in this respect.

A large public utility in Southern California has discovered that personal characteristics (dress, hygiene, personality) are of critical importance in determining the acceptance of Negroes in a department. Its observations do not confirm the view held by some employers that it is desirable to hire light-skinned Negroes at first on the assumption that they arouse less prejudice. This company's experience has been that color of skin has no effect upon acceptance; personality factors and general appearance are the main determinants.

The introduction of a merit employment program and the orientation of employees with respect to it sometimes require a bit of subtlety. A great many companies have the group supervisor personally welcome the new worker, introduce him to his associates, and then lunch with him the first few days so as to put him at ease and enable him to meet as many as possible. This practice, however, should be reasonably consistent with the firm's usual orientation policies. The impression should not be given that the company is discriminating in favor of minority groups.

The National Foremen's Institute takes note of an "old trick" sometimes used in dealing with possible troublemakers within the work group: "Steal a march on the potential troublemakers by asking them, in particular, to be responsible for seeing that the newcomers learn the ropes and get to feel at ease."

In cases where, for instance, a Negro worker is being introduced into a department for the first time, some companies consider it wise to have the supervisor inform each employee, often casually and informally, of the imminent arrival of a Negro in the group. Other companies, however, deliberately avoid any special policy in this respect. There is general agreement on two points: (1) It should be clear that the employment of Negroes represents an established policy of management, and (2) after merit employment has been initiated throughout the firm, procedures for selection, orientation, and placement should be uniform for all employees without exception.

If an employee threatens to quit, in response to the hiring of a minority worker, the usual policy of management is to answer, in effect: "Go ahead, if you feel so strongly about it." Rare indeed is the instance of any employee leaving a good job simply because a minority group member is hired in his department.

Some large firms, as in the west coast aircraft industry, distribute employee handbooks which emphasize that no discrimination on racial, religious, or other grounds is practiced. A major aircraft company shows all new employees an orientation film which has shots of interracial groups in various departments, without explicitly mentioning its nondiscriminatory policy. This "soft-sell" approach is also used in the company newspaper, which often features photographs of Negro and other minority group employees.

Three surveys of firms having merit employment policies, by the Illinois Commission on Human Relations, Industrial Relations Counselors, and the New York State School of Industrial and Labor Relations, indicate that segregation of work areas, facilities, and so on is overwhelmingly opposed by the employers questioned. Most firms recommend against *any* form of discrimination when a nondiscriminatory program is inaugurated.

In all phases of a merit employment program, the cooperation of supervisors is essential. When a minority group worker is first hired in a given department, the supervisor should be made aware of the company's nondiscriminatory policies. Within the framework of this official program, much discretion may be left to the supervisor as to the specific techniques used in introducing and implementing it.

Even in companies which have long-established policies of merit employment, supervisors sometimes practice discrimination. The industrial hierarchy is often so complex that these policies can be thwarted by either intentional or unintentional violation farther down the line. Foremen, supervisors, and others may assume that whites are to be given preference over Negroes, or Protestants over Catholics and Jews, or they may simply express personal prejudices regardless of company procedures. Some come from plants or areas where discrimination was the rule rather than the exception. Unless they are kept aware of the company's nondiscrimination position in no uncertain terms, they may automatically revert to their accustomed ways.

For these reasons, all supervisors should be oriented in the meaning of the nondiscrimination policy not only before the hiring of new employees but intermittently during their tenure. Some firms, for example, have been dismayed to learn that their secretaries, in charge of hiring new clerical staff, have discriminated against Jews. Without the cooperation of supervisory personnel, merit employment can be sabotaged in practice.

In cases where present employees recruit new hires for the firm, there is danger that only workers of their same race or religion will join the work force. The company must make sure that this policy is not excluding qualified applicants from other groups.

Other than these various precautionary measures, ideally the treatment of minority group workers should be precisely the same as it is for all others. The principle of nondiscrimination should be woven into the firm's general pattern of industrial relations. There is agreement among employers with merit employment policies that no discrimination should be permitted either in favor of or against the minorities. Employees and supervisors alike must be aware that performance on the job is the only measurement used in grading and evaluation.

c. The minority group worker on the job

After the minority group member is hired and put on the job, a merit employment policy requires that he be treated on the same basis as all other employees. Ideally, this means equality in promotions, transfers, demotions, and participation in all the benefits and activities associated with the job.

The unfortunate truth is that this goal remains largely unrealized. Negroes, for example, do not always advance as rapidly or as far as white workers of comparable skill. Perhaps the chief barrier in this case is the bugaboo of Negro supervision over whites. In several companies, this problem has been overcome and Negroes may be found in supervisory positions. In others, advancement for Negroes is restricted.

The results of the Industrial Relations Counselors' survey tend to refute the common belief that whites will resent or refuse to accept supervision by Negroes. "The managements said they encountered no serious protest when Negroes were promoted to supervisory positions, nor has there been any subsequent manifestation by either white or Negro employees of resentment or unwillingness to accept direction from Negro supervisors."

Most companies consider it important to make sure that Negro supervisors are thoroughly (and, in many cases, outstandingly) qualified for their jobs. Many take extra care in selecting the initial Negro employees in all types of skilled jobs within the plant.

Some firms surveyed report a tendency among their Negro supervisors to be "too easy" on the whites under their direction, and a corresponding tendency among white supervisors to be too lenient with Negroes. In some cases, Negro supervisors were found to be "extra tough" in supervising Negroes. In all such instances, management emphasizes to supervisors their responsibility for preserving uniform standards of performance, and assures them of company backing for all reasonable disciplinary measures taken.

In areas where strong racial feeling persists, there may be resistance to Negro promotions to the supervisory level, but a firm policy by management can often overcome it. International Harvester, for example, has long pursued a policy of nondiscrimination in employment. In 1951, a Negro was appointed a checker at its Memphis plant, which meant that he would supervise some white employees. After conferences, the executive board of the union agreed that the Negro was entitled to the job and instructed union officials to prepare the membership for this change. Both union and management, however, wanted the transition to be gradual and thus arranged that initially all five workers under the checker's supervision would be Negroes.

Despite this precaution, the promotion of the Negro precipitated the largest wildcat strike of a racial origin that had occurred in the Memphis plant. About 1,350 employees stayed off their jobs for a little over two days. But when they returned, the Negro checker remained at his post and continued his work without incident.

This occurrence, along with others of a similar nature, illustrates the importance of a strong stand by top management and the effective communication of its policy to all employees. Before opening its integrated operations in Louisville and Memphis after World War II, International Harvester conducted educational campaigns in each city, and its officials explained the non-discriminatory policies in public talks and in personal interviews with all job applicants. In the Memphis case, however, false rumors had been circulated in the plant

concerning the Negro's promotion, and the plant manager subsequently circulated a letter among the employees explaining the facts about the Negro's new assignment. The company continued its merit employment policy.

In 1953, several International Harvester executives visited three plants (in Memphis, Louisville, and Evansville, Indiana) expressly to evaluate progress in the employment and integration of Negroes. Ivan L. Willis, vice president, commented: "Without exception, the managers of these operations reported that Negroes are as efficient and in some cases more productive than other employees. They reported no appreciable difference between Negro and white employees as to turnover, tardiness or absenteeism. The Negro employees generally show a keen desire to make good on the opportunities afforded them. The most notable difference lies in our inability to upgrade some Negro employees because of their lack of education and skills, which has often been due to the limited educational and training opportunities available to them."

In a survey by the Merchants and Manufacturers Association of Los Angeles in 1953, 89 per cent of the companies responding reported their Negro employees as being average or above average in productivity. Corresponding percentages for Mexican, Oriental, and Jewish employees were 95 per cent, 97 per cent, and 99 per cent. With regard to absenteeism and turnover, the overwhelming majority of companies responded that their minority group workers had average or better records.

In general conduct, Negroes were reported as average or above average in 91 per cent of the companies, Mexicans in 94 per cent, Orientals in 100 per cent, and Jews in 96 per cent. Eighty-five per cent of the companies indicated no problems at all in the employment of such workers. Companies reporting problems generally considered them "minor."

Of the 100 employers surveyed by the Illinois Commission on Human Relations, 86 responded that white and nonwhite workers on the same job were about equally efficient. Most of the remaining 14 felt that, for various reasons, nonwhites were superior in their jobs. None said that nonwhites could not carry their share of the work load.

The survey conducted by Industrial Relations Counselors offers further evidence that Negroes are generally as efficient and productive on the job as other groups. Of the 31 companies which appraised the over-all performance of their Negro employees, 25 agreed that in general it was on a par with the work performed by others. In six firms, one or more of the representatives stated that Negro performance had been somewhat less adequate, but in three of these firms there was disagreement among those interviewed on this point. Many of the respondents emphasized the effective work of Negro employees in nontraditional jobs.

The various surveys indicate that many employers are needlessly fearful of potential community or employee resistance to Negro employment when they initiate a nondiscrimination policy. Their fears in this area are

seldom justified. In the Illinois survey, only nine firms out of 100 reported community resistance, and only three replied that their operations currently were in any way hampered by such resistance. A number of retailers declared that they were surprised at community acceptance of nonwhite employees. Several had expected adverse comments, and instead received praise. In like manner, many employers reported to Industrial Relations Counselors that they had been unduly apprehensive about employee resistance, which never eventuated. In cases where resistance developed, most firms dealt with it promptly and firmly, restating the policy of merit employment.

In mid-1958, the American Friends Service Committee conducted a survey of firms employing Negroes in nontraditional jobs in Greensboro, North Carolina, a southern town. Seventy-nine of these firms reported that the willingness of other employees to work with Negroes was satisfactory, and only four regarded it as unsatisfactory. Perhaps even more significantly in this type of community, 52 reported a satisfactory reaction of the public to the employment of Negroes in these jobs, compared with only nine reporting otherwise.

The overwhelming majority of firms agree that no segregation should be permitted in company-sponsored social or recreational activities. In general, employers favor a rigid adherence to nondiscrimination principles in all aspects of business operation. Very few firms report any incidents arising out of racial intermingling. All advocate a strict impartiality in disciplinary cases, with

white and nonwhite employees disciplined equally for comparable misbehavior or infractions of rules.

Most of the firms surveyed have reported no special problems with nonwhite employees. Several companies, however, have indicated an excessive number of wage assignments or garnishments (the assignment of wages to satisfy a debt, voluntarily in the former case and by legal action in the latter) among their nonwhite workers. The Industrial Relations Counselors' survey reveals that the main approaches adopted by employers in dealing with this problem are "(1) to educate Negro employees about their responsibilities in financial matters, and (2) to issue warnings to all employees against recurring wage assignments, with threat of dismissal."

Relatively few Negroes in these surveys were in supervisory or administrative positions. Several executives stated that only the lack of training or skills prevented Negroes from rising higher in the firm's hierarchy. Some felt that it was only a matter of time before Negroes would advance to minor executive jobs, emphasizing that such jobs were open to Negroes with sufficient proficiency and aptitude.

VIII. Summary and Conclusions

IN PLANTS AND OFFICES throughout the United States, Negroes and whites, Jews and Catholics and Protestants, Irishmen and Italians and Mexican-Americans, all work side by side without discord. Wherever management has established a firm policy of merit employment, the results have almost invariably been salutary.

Obviously, the problem of employment discrimination is still far from solved. There remain many areas and occupations where minority group members, especially Negroes, encounter barriers. Unions and management alike have been guilty of discriminatory practices. Qualified Negroes often find it difficult to move up the promotional ladder. In recent years, however, job opportunities open to minorities have expanded markedly.

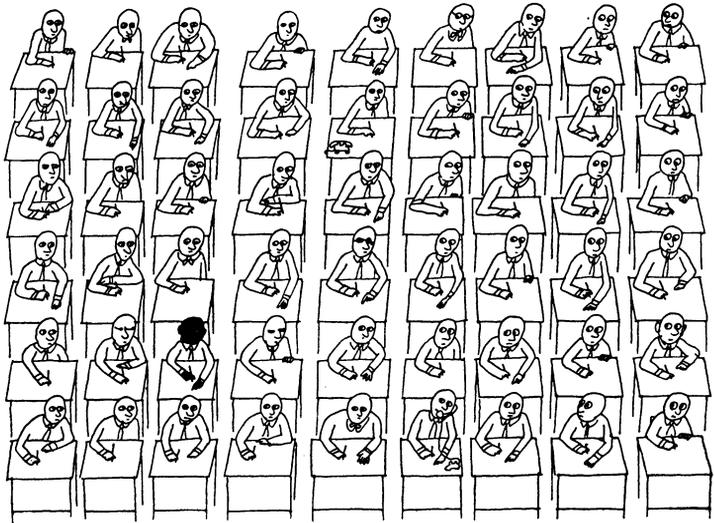
Indeed, in several occupations and industries the emphasis has shifted somewhat from the elimination of discriminatory obstacles to the training of minority group members for available jobs. Because of previous employment patterns and other reasons, minority group members frequently limit their search to the "tradi-

tional” occupations and industries. Counselors and parents alike sometimes tend to discourage minority group youngsters from educating themselves for those occupations which historically have been closed to them. It is important that youngsters be informed of job opportunities and trained to take advantage of them. Otherwise, as new areas of opportunity open up for Negroes and others, the number of trained or experienced applicants may fall considerably short of the demand.

Many public and private organizations are now active in the campaign for merit employment. Their efforts are mainly in two directions: to break down the remaining racial or religious barriers set up by business, unions, or government, and to increase the availability of trained applicants for new jobs. Government agencies, such as the President’s Committee on Government Contracts and the various state and municipal FEP commissions, and private organizations seek to induce employers and unions, chiefly by persuasion and mediation, to abandon any discriminatory practices. Approaching the problem from a different angle, they also work with secondary school and college counselors in improving the training and motivation of minority group youngsters.

While most of the examples used in this pamphlet illustrate anti-Negro discrimination, due largely to the abundance of literature on this subject, many other groups, notably Jews, Mexican-Americans, Puerto Ricans, and Orientals, encounter frequent denial of job opportunity because of race, religion, or national origin. Unquestionably, however, the Negro still confronts the

most difficult obstacles. Progress is being made, but much more remains to be done in the employment of Negroes in clerical, professional, sales, supervisory, and administrative jobs on the basis of their merit as individuals.



Of decisive importance, throughout much of American industry, is the policy of top management. When the executive staff of an enterprise lays down a firm and clear program of merit employment, providing complete equality of treatment without double standards, opposition usually melts away and the transition is smooth. It is important that all supervisors understand the policy and administer it effectively regardless of any personal feelings.

The ease with which the transition is effected may depend largely on the impression made by the first minority group employees upon the rest of the personnel. Quite often the employer takes special precautions in hiring the "pioneer" workers, so that personality and appearance will be pleasing and attractive. After that, each employee is "on his own," judged only on his or her abilities on the job.

The prospects for further progress in the employment field are bright. With a scarcity of skilled labor, many employers are tapping new sources of manpower formerly excluded from their work force. Further, both the moral pressure of public opinion and the legal pressure of governmental policy give added momentum to the drive for merit employment. Nor does nondiscrimination in employment meet with the strong resistance often directed against integration in education, housing, and, particularly, social relationships. Relatively few workers are inclined to defy their employer or quit their jobs in protest against a nondiscriminatory policy.

One value of merit employment is that the contact among members of different races and religions in the plant or office is likely to counteract many harmful stereotypes and thereby improve intergroup relations in general. Workers who befriend Negroes, Puerto Ricans, Catholics, and Jews at work are unlikely to give further credence to the "old wives' tales" so frequently circulated about these groups. When this occurs, prejudice gives way to understanding and friendship.

IX. Suggestions for Further Reading

THERE IS A VAST AMOUNT of literature on the general subject of prejudice and discrimination in America, and only a few of the more prominent and useful publications can be listed here.

A comprehensive general discussion of the role of minorities in American society is contained in *Racial and Cultural Minorities* by George E. Simpson and J. Milton Yinger (rev. ed.; New York: Harper, 1958). The classic work on anti-Negro prejudice in the United States is *An American Dilemma*, 2 vols. (New York: Harper, 1944), written by noted Swedish economist Gunnar Myrdal. The major findings of Myrdal's study have been summarized in *The Negro in America*, by Arnold Rose (New York: Harper, 1948). A general analysis of prejudice may be found in *The Nature of Prejudice* by Gordon Allport (New York: Doubleday & Company, 1958).

A recent general study of American Jews is *The Jews: Social Patterns of an American Group*, edited by Marshall Sklare (Glencoe, Ill.: The Free Press, 1958). Many studies of anti-Semitism in the United States, and of

prejudice in general, have been published by the Anti-Defamation League of the B'nai B'rith and by other organizations of the Jewish community.

The report of President Truman's Committee on Civil Rights is entitled *To Secure These Rights* (Washington, D.C.: Government Printing Office, 1947), issued by the committee under the chairmanship of Charles E. Wilson.

A study of Negro manpower in the United States may be found in *The Negro Potential* by Eli Ginzberg (New York: Columbia University Press, 1956), which summarizes the findings of extensive research conducted by the Conservation of Human Resources Project at Columbia University.

An excellent study of management experience with the employment of Negroes, summarizing the findings of a survey conducted by Industrial Relations Counselors, is *Employing the Negro in American Industry* (New York: Industrial Relations Counselors, Inc., 1959). Other surveys are summarized in Jacob Seidenberg's *Negroes in the Work Group*, New York State School of Industrial and Labor Relations, Research Bull. No. 6, February, 1950 (also published as a pamphlet by the National Conference of Christians and Jews), and in *Here's How Merit Employment Programs Work*, a publication of the Illinois State Chamber of Commerce which gives the major results of a survey of employers by the Illinois Commission on Human Relations.

The National Conference of Christians and Jews has published a number of pamphlets on merit employment, including *The High Cost of Discrimination* by Elmo

Roper, and *A Fair Chance for All Americans*, which contains statements by four business leaders.

A study of the New York law against discrimination may be found in *Equality by Statute* by Morroe Berger (New York: Columbia University Press, 1952). The wartime Fair Employment Practice Committee of the federal government is discussed in *All Manner of Men* by Malcolm Ross (New York: Reynal and Hitchcock, 1948).

The National Planning Association has published *Selected Studies of Negro Employment in the South*, for example, "Negro Employment in Three Southern Plants of International Harvester Company" by John Hope II, Case Study No. 1, 1953.

The National Foremen's Institute has issued a pamphlet, entitled *Why?*, which provides a simplified guide for supervisors in implementing a merit employment policy. This pamphlet has received wide distribution; the California Department of Employment, for example, has distributed it to all employers in the state having unemployment insurance accounts.

A brochure—"Merit Employment: What It Is, Why It Works, and How It Can Help You"—has recently been published by the Management and the Industrial Relations Committees on Merit Employment, in the Los Angeles area (P.O. Box 75839, Sanford Station, Los Angeles 5, California), primarily for distribution to management and to industrial relations personnel.

A survey of employment practices in the meat-packing industry, and an analysis of the antidiscrimination program of the United Packinghouse Workers of Amer-

ica, may be found in *Equality of Opportunity* by John Hope II (Washington, D.C.: Public Affairs Press, 1956).

The National Association for the Advancement of Colored People has published a number of valuable studies, for example, *The Negro Wage-Earner and Apprenticeship Training Programs* and *No Harvest for the Reaper: The Story of the Migratory Agricultural Worker in the United States*. The Association has also reprinted an article by its Labor Secretary, "Labor Unions and The Negro" by Herbert Hill, *Commentary*, December, 1959, pp. 479-488.

The National Association of Intergroup Relations Officials publishes annual reports summarizing the activities of public and private agencies in combating discrimination. The National Urban League, the AFL-CIO, and the various organizations listed on pages 68-69 of this pamphlet issue material on discrimination both in general and with particular reference to employment.

The President's Committee on Government Contracts and the various FEP agencies distribute a great deal of information on merit employment. Particularly useful are the Progress Reports of the New York State Commission Against Discrimination.

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