

Buffalo Law Review

Volume 14

Number 1 *Toward Equal Opportunity in
Employment: The Role of State and Local
Government—Proceedings of the Conference in
Memory of Honorable Philip Halpern, April 24, 25,
1964*

Article 20

10-1-1964

Comment

Meyer Fine

The American Jewish Committee

Follow this and additional works at: <https://digitalcommons.law.buffalo.edu/buffalolawreview>



Part of the [Administrative Law Commons](#), and the [Labor and Employment Law Commons](#)

Recommended Citation

Meyer Fine, *Comment*, 14 Buff. L. Rev. 165 (1964).

Available at: <https://digitalcommons.law.buffalo.edu/buffalolawreview/vol14/iss1/20>

This Leading Article is brought to you for free and open access by the Law Journals at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in Buffalo Law Review by an authorized editor of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.

COMMENT

MEYER FINE*

FIRST, I should say that it is indeed a privilege and a pleasure for me to be with you, to participate with this distinguished group of educators and leaders in the field of civil rights and human relations.

As the representative of the American Jewish Committee, one of the organizations whose cooperation helped make possible this symposium, I wish to record our deep appreciation that this Conference is convened in tribute to the late Justice Philip Halpern. His inspiring qualities of heart and mind and his many brilliant achievements are well known to all of us. I merely wish to acknowledge the Committee's debt of gratitude to Philip Halpern for his pre-eminent contributions as a member of our National Executive Board and for his many years of distinguished leadership as Chairman of the Executive Committee of the Buffalo-Niagara Frontier Chapter of the American Jewish Committee.

Now, as a commentator, I intend to react briefly to the government contract matters which have been discussed at this and other sessions. First, I would suggest the following procedural changes in government agencies which would strengthen their effectiveness in achieving the fuller establishment of nondiscriminatory policies:

1. *To assure employment integration within state agencies.* The State Commission for Human Rights should be ordered to review the existing employment practices of all state agencies and departments, including the Civil Service Commission, to determine the extent to which established nondiscriminatory policies have been translated into effective recruitment, hiring and promotion practices within the state government. Where reforms seem indicated, the individual agencies and departments involved should be instructed to develop a positive program for the recruitment of qualified minority group members.

2. *To assure integration in private industry.* The State Employment Service should be instructed not merely to refuse to handle discriminatory job orders, but to require fair employment pledges from all employers. The State Commission for Human Rights should be authorized to initiate complaints of employment discrimination on the basis of its own investigations and without waiting for individual complaints.

3. *To assure integration in state contract employment.* State agencies should be instructed to initiate a program of inspection, reporting and compliance for private employers holding contracts with state agencies, along the same lines as the program now in force in the federal government. Similar affidavits should be required of all craft unions involved in such contracts, providing assurances of nondiscrimination both in union membership and in

* Area Director, The American Jewish Committee.

apprenticeship training programs. Businesses and unions unable to provide such affidavits should be declared ineligible for state contracts until documented evidence of reform has been presented.

4. *To assure integration in apprenticeship training.* All companies and labor unions involved in apprenticeship training programs should be required to give proof of nondiscrimination in the recruitment of applicants before such programs are approved by any state department or agency and before such programs are deemed eligible for any form of state aid. In addition, all state contracts with private companies should require the mandatory hiring, without regard to race, religion or national origin, of at least one apprentice or trainee for every five journeymen employed on contract work.

Now, I would like to express my concern over the fact that the many important activities of citizen groups have not been discussed at any length here today. Because of this omission, these citizen groups seem to emerge as "the tail on the dog." The dog, in this case, being the many admirable and important functions performed by federal, state and local commissions and other public agencies.

I speak now as a lay advocate for the citizen groups, if you will, and I appreciate this opportunity to tell you that, despite the many problems and shortcomings that we have all been candidly sharing, you will perhaps be somewhat heartened to learn that you have many allies in the community.

The citizen groups, sectarian and nonsectarian, which support the commissions, swell the ranks of those who have tried to get these equal opportunity laws on the books and to get the strengthening amendments through. But this has not been sufficient in their opinion. They've taken other important action on their own to achieve the kind of job opportunities that we talk about here through non-legal, persuasive, educational efforts in the community. They are not entirely limited to picketing and demonstrations as was indicated by one of the earlier speakers.

Fair employment is a high priority item on the agenda of American business and industrial leaders—including many associated with the American Jewish Committee. All over the country, members and friends of AJC—assisted by AJC's professional staff—are zealously working to make equal opportunity in hiring and promotion a reality in their own firms, industries and cities. The experiences they report, taken together, form a cross section of the integration issues facing commerce and industry today. Some of the more affirmative experiences, I would like to share with you at this point.

1. *Obtaining qualified applicants.* The problem of finding qualified applicants has been referred to by some of our speakers at this panel and others. Finding skilled Negro applicants is one of the first and one of the biggest hurdles in job integration. Our members and friends tell us Negroes, understandably, have been discouraged from preparing for full employment opportunities or aspiring to upgraded employment status.

What have we done about it? I'm talking now about citizen groups throughout the country—the American Jewish Committee and others. I want to underscore the fact that leadership has been given by lay people, in many cases by business executives who own their own retail establishments or industrial firms, in concert with other concerned citizens who might or might not be leaders in employment. What these people have done is to go out into the community to seek qualified Negro talent and one of the first things that they have learned, of course, was that there was a shortage. But, being hopefully the kind of creative and imaginative people whom you've urged us to seek, they looked in the "odd places."

They looked in the post offices, they looked in many other places to find people who would have ability but who are being under-utilized. In a number of instances—this is only one—Negro college graduates have been brought out of the post office, to other jobs where they were given managerial posts in industry. They have taken on supervisory posts, personnel functions, policy-making, and have done exceedingly well.

2. *Publicizing opportunities.* I think an example of one of the more exciting recent developments resulting from citizen group activities has been the recent formation of an "Equal Opportunity Employment Plan" in Milwaukee where thirty leading firms got together to establish a guide for the entire community. The participating companies agreed to describe themselves as "equal opportunity employers" in advertising for help, to instruct employment agencies and other recruitment sources that suitable persons of all races were to be referred for interviews, and reached out to potential Negro applicants through such methods as plant tours, summer employment programs and school "career days."

3. *Increasing training facilities.* In Dallas, a striking start toward providing needed facilities was made where business leaders collaborated with a Negro institution, Bishop College, in setting up a new Department of Business Administration as a source of Negro secretarial and management talent.

In the east and midwest, leading retailers have joined together to set up job preparation programs for disadvantaged youth, under the Federal Manpower Development and Training Act.

4. *Securing acceptance by whites.* Many of the experiences recorded had to do with preventing unfavorable reactions by white workers. A quick transition to integrated conditions was generally thought safest, but there was no consensus on whether staff should be informed ahead of time or not. Several firms did well with advance notification. Others, however, successfully followed the opposite course. A large manufacturing company with several plants in the south reported satisfactory results from confronting the staff with a fait accompli.

5. *Negroes in status jobs.* Where Negro staff members give orders to white employees or represent the firm to the white public, special measures

are sometimes taken to ensure acceptance. The proprietor of a midwestern restaurant safeguards the status of his Negro service manager by periodically holding luncheon conferences with him in sight of patrons and personnel. A midwestern retailing organization, about to acquire its first Negro officer went to considerable length to enlist the good will of the banks, insurance companies and other firms with whom it did business.

6. *The crucial role of top management.* One theme runs through nearly all the experiences reported by AJC's members and friends: The start must be made in the Executive Suite. Both in the small community of the plant and the larger community of the city or the industry, it is the high-level managers who must frame affirmative integration policies and see that they are understood and carried out. As the head of one of the nation's leading construction companies put it, pace setting here, as in any policy situation, "must come from the top, so that people right down the line know the feeling of the boss. . . . If those at the top do not express their feelings definitely, those in a lower echelon may be reluctant to make decisions that are not in complete accord with past practices."

7. *Collaboration with intergroup agencies and Negro groups.* Information and advice available from government agencies, human relations organizations and civil rights groups can be an additional help in minimizing the hazards of desegregation measures. For example, a large company in the business equipment field relies strongly on the American Jewish Committee's field staff for information about racial conditions in cities where it operates plants slated for integration. A number of companies state that they use the Urban League's Skills Banks to recruit qualified Negro help.

Other businesses, north and south, report that they plan desegregation moves in collaboration with their communities' Negro leadership, or periodically review their progress with local branches of national civil rights groups. By thus working with responsible Negro organizations, they are creating a climate of mutual confidence and forestalling unreasonable demands by extremists.

8. *Sparking community action.* I fully agreed with what one of our speakers, Professor Pollak, said last night when he stressed the importance of concerted action in the local community. The biggest forward steps are made when business leaders take the initiative in mobilizing whole communities. For example, in Memphis, business leaders and government officials set up a 'successful drive for improving Negroes' employment opportunities. The local press was one of the prime movers; local papers vigorously promoted the drive and denied exaggerated publicity to the opposition.

In Dallas, white and Negro leadership groups, with AJC members playing an essential role, devised a plan for employment integration. A policy of step-by-step integration was agreed upon, including preferential procedures designed to help make up for the longstanding handicaps of the Negro

COMMENTS

group. Because the plan bore the stamp of the city's most respected individuals, little conflict arose.

In Atlanta, a community movement to promote upgrading of Negro workers concentrated, for a start, on government jobs. A biracial Mayor's Committee was formed to hear complaints of discrimination. Municipal departments, including fire and police, moved up qualified Negroes on their staffs, as did the local postmaster; wider drives are foreseen in private employment.

In the east, middle-west and south, chambers of commerce and trade associations have started equal employment opportunity committees—in many cases with the aid of AJC members. These committees undertake surveys of job opportunities for minority group members, to help find people to fill the jobs. They also assist in training programs for insufficiently qualified workers. Finally, they make it their business to help inform employers and employees about the benefits of integration and the ways to achieve it.

We are sending reports of these experiences and comparable success stories to leaders in communities throughout the country. We would hope that your organizations may find similar opportunities to recount these highly effective, creative ventures by citizen organizations.

Equality in employment is no idealistic luxury. Members of the American Jewish Committee and its friends in the business world agree: it is simply good business and the time is right for it. They are fully aware that the goal will not be achieved by half measures or gestures. They understand that they have a job to do and are convinced that there is no longer any alternative to rapid, hard-headed, affirmative action.