City officials pledge minority development push

City Colicitor Benjamin L. Brown reports that city officials have assumed a leadership role to promote black economic development. In a statement he reports the following:

"The city administration is developing and implementing programs that will have an impact on equal opportunity through the city's personnel and business policies and procedures. The basis for these programs is Mayor William Donald Schefer's Executive Order on Equal Employment Opportunity and Affirmative Action that went into effect January 1, 1977. The mayor's executive order established city - wide equal employment and affirmative action policies and procedures to ensure that minorities and women have equal access to positions in city government.

This executive order also includes compliance provisions for the administration of city contracts.

Legislative purposes of the mayor's executive order is to prohibit discrimination in city employment practices and procurement programs, as well as, mandate the creation of an Equal Opportunity Committee for Baltimore.

Benjamin L. Brown
city solicitor

The Mayor's Equal Opportunity Committee is responsible for the overall policy and administration of the city's affirmative action program for employees and applicants for city employment.

This Committee is composed of seven city officials who are appointed by Mayor Schaefer to develop and initiate enforcement of all equal employment and affirmative action rules, regulations and guidelines necessary for full implementation and monitoring of the affirmative action program.

Under the Mayor's Executive Order on Equal Employment Opportunity and Affirmative Action, the administration is developing new and challenging programs designed to promote black economic development throughout the Baltimore area.

Under the chairmanship of Benjamin L. Brown, city solicitor, the Mayor's Equal Opportunity Committee has launched a vigorous effort to fully implement and add new dimensions to the Mayor's Executive Order.

Top priority has been given to improve the hiring and promotion of minorities and women in all agencies.

In March 1979, the Equal Opportunity Committee initiated a unified city - wide affirmative action program for Baltimore.

This committee issued uniform affirmative action guidelines to be followed by all offices, departments and agencies that set new hiring and promotion standards for minorities and women at all levels of employment.

These guidelines require each agency to develop and submit an affirmative action program to the Mayor's Equal Opportunity Committee for review and approval to assure that every city agency is in compliance with affirmative action policy.

Consequently, the committee has established a more standardized city - wide procedure for operating and monitoring affirmative action program at city agencies.

A contractor compliance program with new and more comprehensive requirements has been established by the Mayor's Equal Opportunity Committee as a priority means of providing equal opportunity.

The Contractor Compliance Program requires the private sector, with which so many public dollars are spent, to share some of the city's affirmative action responsibility.

For this purpose, the committee implemented the compliance program to assure that contractors implement affirmative action programs to increase the hiring of minorities and women.

Under the new compliance program, all city contractors must develop and submit an affirmative action program to the Mayor's Equal Opportunity Committee for approval.

Every affirmative action program submitted by a contractor is given an equal opportunity rating by the committee according to program development, implementation and effect.

Contractors who show poor affirmative action performance will not receive certification from the city to bid and work on city contracts. The implementation of this program assures equitable representation of minorities and women in the workforce of firms which engage in business in Baltimore.

The Mayor's Equal Opportunity Committee is undertaking another new program to further stimulate black economic development in the city of Baltimore.

In May 1979, the committee initiated a fact finding survey to gather information about more effective approaches to increase the participation of minority businesses in the economic system.

This effort culminated in the development of a city - wide Minority Business Enterprise Program.

The purpose of this new program is to develop affirmative action goal - oriented business policies to provide minority businesses with greater participation in the performance of city contracts for construction projects, provision of professional services and purchases of equipment and supplies.

This program mandates a 25 percent minority business enterprise participation goal for all contracts awarded for city construction projects, as well as, a 15 percent to 20 percent minority business enterprise participation goal for all contracts awarded for purchases of equipment and supplies and professional services.

Mayor William Donald Schaefer

The committee feels the Minority Business Enterprise Program will promote black community development in its broadest sense, by directly addressing the issues of minority employment and minority business opportunity.

The Minority Business Enterprise program is designed to increase minority employment and business activity which ultimately will contribute to the city tax base as well as have an obvious impact on reducing minority unemployment by supporting minority firms in their development so that an equitable percentage of the construction and purchasing budget of the city will be allocated to minority firms.

In addition to developing new policies and programs to stimulate black economic development, the administration is streamlining its compliance and enforcement program components to provide a more effective mechanism to assume full responsibility for the city's affirmative action program.

The objective of the city's Equal Employment Opportunity reorganization is the creation of an EEO Compliance Section in the Law Department that will have city - wide responsibility.

This new EEO Compliance Section will provide technical assistance to city agencies and departments to assure that the affirmative action objectives of each agency is achieved.

The Compliance Section will have a staff complement of 16 equal opportunity specialists who will have broad enforcement and monitoring responsibilities.

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Baltimore Urban League has comprehensive group of job, economic growth programs

The Baltimore Urban League Inc. operates 11 programs and projects in the areas of employment, education, consumerism, youth, health, welfare and housing.

The mission of the Urban League movement is symbolized by the equal sign and its motto, "Building For Equal Opportunity."

In addition to direct services, the League intervenes at all points in the social and economic structure of the Baltimore metropolitan community where the interests of blacks, other racial minorities and the poor are at stake.

Founded in 1924, the Baltimore Urban League is one of 116 affiliates of the National Urban League Inc. One of the unique features of the Urban League movement is that local affiliates are autonomous bodies which enable them to tailor programming to meet the specific needs of their respective communities as well as to rely on the support of the National Urban League and the other affiliate leagues across the country.

Realizing from the outset that if progress was to be made in bridging the gap between the black and white community, the League adopted the concept of interracial participation yields results.

Under the leadership of Travis W. Vauls, president, the Baltimore Urban League utilizes a combination of locally initiated programs and projects as well as national programs to deal with problems which are faced by blacks and other minorities daily as they strive to obtain equal footing in this community.

The 11 programs and projects operated by this agency are:

Broadcast skills bank;
Consumer services;
Education and youth incentives;
Labor education advancement;
Student enrichment;
Youth diversion;
Comprehensive housing counseling;
Economic development and employment;
Health, welfare and housing, and
Manpower service centers, Mondawmin Shopping Center, Westside Shopping Center.

Broadcast Skills Bank

Designed to increase minority employment in the broadcast industry, the Broadcast Skills Bank served more than 600 persons during 1978.

Funded by area broadcasters, services include a job bank to inform qualified or qualifiable applicants of vacancies in the industry, a clearinghouse of information for training opportunities, career counseling and financial aid counseling for those pursuing professional training in the field of broadcasting.

The field of broadcasting is very competitive, particularly talent positions.

Persons in talent positions receive a lot of exposure, and many persons interested in working in the field are attracted to these positions unaware of other careers which are not as visible but crucial to the operation of television and radio stations. The Bank attempts to interest applicants in these areas because of the career opportunities available in behind the scenes positions.

Most of these jobs require degrees and experience, and in some cases, they are stepping stones to higher positions within the industry. If there is one common qualification, it is the need for experience. Experience is weighed heavily in the application process.

Although the Bank is supported by a majority of the area broadcasters, there still remains a need for a further commitment by the industry. Many available positions are filled by persons who have had experience in the field which makes it difficult for a college graduate who has concentrated in media but has no work experience, to obtain one of these positions.

Throughout 1978, staff has attended seminars, workshops, conferences and visited all of the television and radio stations in order to boost the number of job orders the Skills Bank receives. Staff will continue its efforts to place more minorities in technical and managerial - decision making positions.

Also during 1978, members of the newly formed Media Club which consists of 10th graders from local high schools who are interested in careers in broadcasting, spent time at local radio and television stations to better understand the industry. Club members also assisted staff in its participation in the 1978 AFRAM Expo.

There is not an abundance of jobs available in the industry; however, broadcasting does have a moderate number of career opportunities. Competitive spirit, perseverance and talent are three of the qualities needed to succeed and advance in this field.

CONSUMER Services Department

The field of consumerism continues to become more sophisticated as more and more persons endeavor to become alert purchasers of goods and services.

The Consumer Services Department offering a variety of services on consumer related issues to groups and individuals. Services offered by this phase of Urban League programming include consumer education legislation, wise shopping, aid and assistance in the area of tenant-landlord relations, and counseling of limited income consumers on how to utilize their funds more wisely.

During 1978, staff conducted training courses for 117 community school parent liaison workers on con-

(Continued on Page 23)

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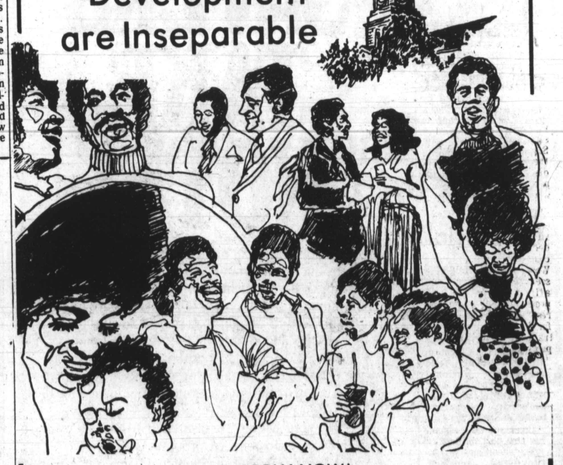

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UNDERSTANDING THE WEBER DECISION

Supreme Court ruling paves way for 'affirmative action'

Background

"In the 1960s when civil rights protest was at its zenith many white business firms yielded to blah this pressure and to common sense and for the first time in this nation's history began to hire blacks and other minority workers in significant numbers.

This new enlightened employment practice, however, was short - lived in many sections of the country and in many areas of industry as the direct protest movement wound down and the seventies began.

The code phrase for decreased hiring of minorities was "affirmative action."

"Affirmative action" programs were not only launched in private business, but in the public sector as well. Once white America had its racism dramatically exposed as to hiring and admission of minority-group citizens, "affirmative action" programs were seen to be needed in almost every aspect of this nation's life.

Federal and local governments, themselves guilty, initiated "affirmative action" programs as did universities, hospitals, religious denominations, the truth being, that as far as blacks and other minorities were concerned, the doors of all white - dominated institutions had always been shut.

And so to some degree in the Seventies, "affirmative action" was the slow and orderly way white dominated businesses and other institutions were moving to bring in more minority workers and to upgrade minority workers already a part of their work forces.

"Affirmative action" programs were also often an employer's insurance that he would be free from discrimination suits which were beginning to proliferate as more minority and women workers began to aggressively fight for their rights to better jobs and more meaningful open - ended careers.

For a firm to announce, as many did in this period, that they were committed to "affirmative action," was both pragmatic in an political business sense and good public relations as well.

Who could argue with companies who were on record as actively looking for, recruiting, and when "qualified" minority workers presented themselves, actually hiring them?

"Affirmative action" programs were usually as forceful or as fake as the integrity of the heads of businesses or agencies involved.

Many businesses were and are actually genuinely committed to the concept and ordered that black workers in their employ who had been denied promotions and in company training for better jobs be given these opportunities.

In the past decade many black leaders began to see "affirmative action" in both private sector and government hiring as the only way significant numbers of blacks could win regular employment.

Some of these leaders pushed hard for "affirmative action" as a federal job policy that would have to be carried out by employers still reluctant to open up their hiring lists to minority - group workers.

The tide was beginning to turn again toward positive action on the employment of minority workers when a law suit filed by a white factory worker in Louisiana threatened to push the concept and practice of "affirmative action" out of the public domain forever.

This legal suit, which ended up in the Supreme Court of the United States, challenged the right of businesses and unions to set up affirmative action programs to help black workers because, as the litigant contended, such programs would cause white workers to be cast aside, to suffer "reverse discrimination."

The litigant was factory worker Brian Weber, a white employee of Kaiser Aluminum Company at Gramercy, La.

Those he was challenging were the giant Kaiser firm itself and the powerful United Steelworkers Union.

If Weber's arguments won, the feeling nationally was, blacks who had been held back in jobs in industry for historic racist reasons would never have a chance to move up in major industries like steel, aluminum and construction.

What Kaiser and the steel union were attempting to do was correct some of these past wrongs by developing special "affirmative action" programs to bring minority workers to parity with white workers.

Brian Weber said "No!" This approach violated his rights, he said, because as a white he was being excluded from such a project because of his race.

As the Weber case moved up from the lower courts to the High Bench, many major employers throughout the nation put their affirmative action plans on hold.

They preferred not to act less other white workers like Weber, if he won, would be bringing legal pressure to bear on them with a hurricane of other "reverse discrimination" legal suits.

The irony in this was that affirmative action programs slowed across the nation at the same time black unemployment was nearing its greatest rate since the Depression 30s.

The Decision

On June 27 the Supreme Court handed down its decision.

By a 5 to 2 vote, it ruled that private industry may voluntarily set up many kinds of affirmative action programs, without fear of being sued by whites on "reverse discrimination" charges.

Immediately union, civil rights and government leaders voiced high praise for the court's decision as the biggest boost for minority economic advancement in the past decade.

The decree upheld a racial quota which Kaiser Aluminum and Chemical Corp. and a union used to select applicants for an on - the - job training program.

The decision reversed a lower court ruling which struck down the affirmative action program, which was challenged by Weber.

Weber claimed that the program used to select applicants was in violation of the 1964 Civil Rights Act which bars racial discrimination in employment.

The majority opinion written by Justice William Brennan, and vigorously supported by the lone black associate justice, Thurgood Marshall, held:

"The law does not condemn all private, voluntary, race conscious affirmative action plans."

The Civil Rights Act, the majority opinion added, "was designed to open employment opportunities for blacks."

Eleanor Holmes Norton, chairwoman of the U.S. Equal Employment Opportunities Commission — who is directly affected by the decision — was understandably pleased.

She said the decision leaves no doubt that "voluntary affirmative action is by far the safer course than waiting to be sued by the government."

Benjamin Hooks, executive director of the National NAACP said the ruling "makes common sense," while Vilma S. Martinez, president of the Mexican - American Legal Defense and Educational Fund, said the decree "has given us the means to open doors that have been closed to Hispanics for too long."

U.S. Department Labor Secretary Ray Marshall sees the opinion as a green light on affirmative action programs.

"We can move forward with new assurances that equal employment opportunity can become an everyday reality in our Democratic Society," he declared.

The veteran and crusty leader of the AFL - CIO, George Meany, also hailed the decision.

"Through collective bargaining, unions and

(Continued on Page 18)

Washington Viewpoint

Yette on Weber

By Samuel F. Yette
From the July 7, 1979 AFRO - AMERICAN

Like so many cases decided by the United States Supreme Court in this decade, the affirmative action ruling last week extended, rather than ended, the controversy it was expected to settle.

But, unlike so many decision of the Burger Court, the granting of temporary — rather than permanent — relief, in this instance, seems to have been a wise course.

It might not appear so on first looking.

But the long view of racial progress and political history support both the ruling that affirmative action now is right and necessary, but also that preferential treatment should not be a permanent fixture in American life — for any person or group.

The question before the Supreme Court was whether setting aside for black workers half the slots in a crafts training program in Louisiana illegally discriminated against Brian Weber, a white worker who had been on the job longer than two black workers admitted to the program.

The 5th United States Circuit Court of Appeals agreed with Weber, 32, that such a preference violated the non - discrimination provisions of the Civil Rights Act of 1964 — whose purpose was to end job discrimination.

The basis of the Circuit Court's ruling was that Kaiser Aluminum, the private employer, and the United Steel Workers of America had not admitted any past discrimination themselves, and that the black workers being helped were not the ones who had been discriminated against in the past.

The logic of the Circuit court would establish a "grandson clause" — the flip side of the old "grandfather clause" invoked during Reconstruction to deny voting rights to former slaves.

By the Circuit Court's logic, affirmative action, in effect, would be available to a black worker only if he, himself, or his grandson were an immediate victim of job discrimination.

But the United States Supreme Court disagreed.

Writing for a 5 - 2 court majority, Justice William Brennan said:

"It would be ironic indeed if a law triggered by a nation's concern over centuries of racial injustice . . . constituted the first legislative prohibition of all voluntary, private, race - conscious efforts to abolish traditional patterns of racial segregation . . ."

Explaining that the 1964 Civil Rights Act intended to secure — not deny — racial justice, Brennan said the Kaiser - Steel Workers program was also "designed to break down old patterns of racial segregation" and to open to black workers jobs "traditionally closed to them."

Understandably, black leaders embraced the ruling.

"When you get the highest court in the land taking the right position, that becomes a whole signal that the minorities are not being abandoned at all levels of government," rejoiced Maryland Congressman Parren J. Mitchell.

Compared to the Supreme Court's Bakke decision last year, NAACP Secretary Benjamin Hooks called the Weber decision even "more important," seeing jobs as a "fundamental right", and the way to "move the country forward."

But the reaction of Brian Weber while expected, also points to the long range political unacceptability of what is seen as an unfair economic advantage given to a black minority.

"People's minds and hearts are in it," Weber said in New Orleans, "and they realize within that people who've done wrong in the past, they're going to change. But if they're being told 'Look, you have to change,' you know it's human nature to — when you get to the wall you start swinging."

Weber, of course, does not speak for everybody, not even everybody who is white and working in his plant.

But he does speak for somebody — many in fact.

And, however disjointedly he might put it, he means that many who are — marginally — poor, unskilled and white feel themselves up against the wall — no longer able to rely on race to save them.

Weber is also saying that — at least racially — all whites are political allies of the white majority who run the country politically and economically.

Eventually, Weber seems to be saying, that majority will "start swinging," as some, wearing sheets and toting guns and clubs, are already doing with increasing boldness in his part of the country.

And, while the new Klan threat is real, there is less to be feared from it than there is from another danger that would be

(Continued on Page 27)

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AFRO on Supreme Court's affirmative action decision

In what should be viewed as the most significant decision of the Supreme Court this term, the cries of "reverse discrimination" on the part of a white employee were put quietly to rest.

With a rare turnabout compared to the already infamous Bakke decision, the highest court decided that Brian Weber had no cause for seeking to overturn an affirmative action program on his job which reserved selected spots for blacks in its job - training and hiring program.

Analysts are fully correct, the justices ruled, in seeking to correct past injustices and discrimination in the job market by committing themselves to hire specific numbers of minority persons. What is more, employers are correct in instituting such remedial actions even if they have not themselves been found guilty of discrimination by a court or review panel.

On the surface, this Weber decision seems to fly in the face of the previous Bakke decision. That is certainly one of its important characteristics. It does, in fact, lessen the negative impact of that earlier ruling.

It strengthens the court's earlier argument (which is appended to the Bakke case) that it in no way intended to upset affirmative action programs in general. While it may (because of its seeming inconsistency) raise questions or confusion in the minds of some persons, it places the burden of those questions on the Bakke camp, not on the friends of racial justice.

It is almost as if the Supreme Court justices are saying, "We know we made a mistake on behalf of that white student; now we want to remedy its effects before it goes too far."

There are, of course, those who will attempt to reconcile the apparent inconsistencies between the two rulings. They may say that the Bakke case referred only to state educational institutions, whereas Weber refers to private employers. Or they may argue that the Bakke case applied only to rigid quota systems which were based on a limited number of positions in the first place.

Be that as it may, a new day has dawned for our hopes and longings. The conservative court (with its four Nixon appointees) is able to recognize what is just and right, after all.

We have suffered setbacks; perhaps there are limitations to how far back we will be set.

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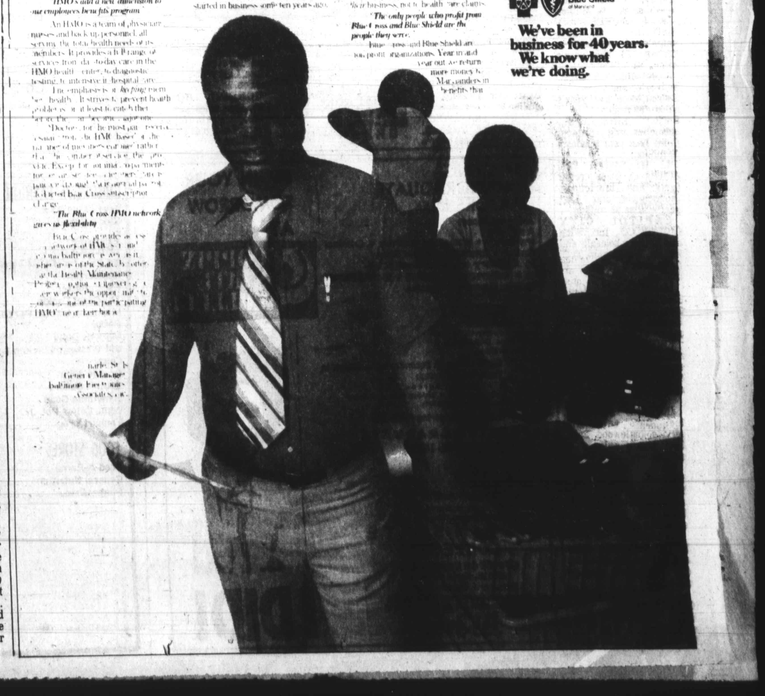

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