



League of Women Voters of Minnesota Records

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SCHOOL DISTRICT OF PHILADELPHIA, DEPARTMENT OF SUPERINTENDENTS
DIVISION OF PUPIL PERSONNEL AND COUNSELING
EMPLOYMENT CERTIFICATING SERVICE

OCCUPATIONS ENTERED BY MINORS DURING CALENDAR YEAR 1947
COMPARISON BY RACE: BASED UPON EMPLOYMENT CERTIFICATES ISSUED
Data from South Philadelphia Office of Employment Certificating Service

Occupation of Minor	Employment Certificates Issued						
	Total Number Issued	Total Occupational Distribution				Percentage by Race in Each Occupation	
		White		Negro		White	Negro
		Number	%	Number	%		
TOTAL	5340	5132	100	208	100.0	96.1	3.9
Learners and assistants in tech. & prof. occupation	5	5	*	0	0	100.0	0
Clerical and kindred workers	840	833	16.3	7	3.4	99.2	.8
Newsboys	10	10	*	0	0	100.0	0
Salespersons	824	812	15.9	12	5.8	98.5	1.5
Stock and shipping	438	415	8.1	23	11.0	94.7	5.3
Telegraph messengers	115	113	2.2	2	1.0	98.2	1.8
Service-nonpublic contact	102	55	1.1	47	22.7	54.0	46.0
Service-public contact	379	356	6.9	23	11.0	93.9	6.1
Outside errands	357	326	6.9	32	15.4	91.0	9.0
Crafts	3	3	*	0	0	100.0	0
Laborer - process	1457	1442	28.2	15	7.1	98.9	1.1
Other laborers	438	394	7.7	44	21.1	89.9	10.1
Other recreation attend- ants	130	129	2.5	1	.5	99.3	.7
Wrappers, packers, kindred	240	238	4.7	2	1.0	98.8	1.2
Other workers	2	2	*	0	0	100.0	0

*Less than .5 per cent

City of Minneapolis

The following figures were compiled by the Minnesota Fair Employment Practice Commission, under the directorship of Wilfred Leland, Room 407 - A City Hall, Minneapolis.

Cases Handled from June 1, 1947 - December 31, 1948

Disposition of Cases	No.	%
Dismissed Because:		
Commission lacked jurisdiction	4	7.1
No discrimination found	12	21.4
Favorable Settlement Achieved by:		
Satisfactory Adjustment with Complainant	4	7.1
Commitment to Follow Non-Discrimination Policy	15	26.8
Action Deferred Pending:		
Further action by Party Charged	11	19.7
Further Investigation by Commission	10	17.9
Total	56	100.0

Nature of Cases

Discrimination because complainant was:		
Of the Negro Race	37	66.1
Of the American Indian Race	4	7.1
Of the Japanese Ancestry	1	1.8
Of the Jewish Ancestry	12	21.4
Not a Lutheran	1	1.8
Not a Jew	1	1.8
Total	56	100.0

Party Charged was:		
Private Employer	48	85.7
Government Agency	6	10.7
Labor Union	1	1.8
Employment Agency	1	1.8
Total	56	100.0

Complaint based upon:		
Refusal to Hire	47	83.9
Discharge	5	8.9
Working Conditions, Wages or Upgrading	2	3.6
Denial of training opportunity	1	1.8
Refusal to register and refer	1	1.8
Total	56	100.0

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DAY LETTER	NIGHT LETTER

WESTERN UNION

JOSEPH L. EGAN, PRESIDENT

1206

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JOHN G SIMMONS=CHAIRMAN MINNESOTA COUNCIL FOR FEPC
616 NEW YORK LIFE BLDG MINNEAPOLIS MINN=

REFERENCE YOUR INQUIRY REGARDING AMERICAN MAGAZINE ARTICLE
WOULD SAY I HAVE NEVER BEEN ABLE TO FIND ANYTHING WRONG
WITH FEPC LEGISLATION SINCE I DO NOT BELIEVE IN
DISCRIMINATION ON THE BASIS OF RACE COLOR RELIGION OR
NATIONAL ORIGIN. I ALSO FAIL TO SEE WHERE THE PASSAGE OF
SUCH LEGISLATION WOULD DO OTHER THAN RAISE DEMOCRACY TO A
STATUS OF GREATER RESPECTABILITY=

C C SPAULING=

T E S T I M O N Y

in support of a

MINNESOTA FAIR EMPLOYMENT PRACTICES BILL

Submitted to:

The Labor Committee of the
Minnesota State Senate
February 10, 1949

and the

Labor Committee of the Minnesota
State House of Representatives
February 14, 1949

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WITNESSES APPEARING BEFORE HOUSE AND SENATE LABOR COMMITTEES

The arguments in favor of creating a State Fair Employment Practice Commission with enforcement powers, based in part on materials herein presented, are being made orally before the Labor Committee of the Minnesota State Senate on February 10, 1949, and before the Labor Committee of the Minnesota State House of Representatives on February 14, 1949, by the following witnesses:

Harvey Hoshour: Morgan, Chase, Headley, & Hoshour, St. Paul; Faculty member, University of Minnesota Law School; Member, St. Paul Council of Human Relations.

Bradshaw Mintener: Vice-President and General Counsel, Pillsbury Mills, Minneapolis; General Chairman, Minneapolis Self-Survey of Human Relations; Executive Board Member, Minnesota Council for Fair Employment Practice.

York Langton: Trade Extension Manager, Coast-to-Coast Stores, Minneapolis; President, Minnesota United Nations Association; Chairman, Minneapolis CAPE Committee; Chairman, Sales and Marketing Committee, Minneapolis Chamber of Commerce; Co-chairman, Minneapolis Round-table, National Conference of Christians and Jews.

Rev. Clifford Ansgar Nelson: Pastor, Gloria Dei Lutheran Church, St. Paul; Board Member, Minnesota Federation of Churches; Member, St. Paul Council of Human Relations.

William Seabron: Industrial Secretary, Minneapolis Urban League.

Whitney Young: Industrial Secretary, St. Paul Urban League.

Robert Olson: President, Minnesota State Federation of Labor, AFL.

John Finn: Executive Board Member, State Industrial Union Council, CIO.

Lora Lou Moad: Chairman, Civil Rights Committee, Carleton College Student Association, Northfield, Minnesota.

Lawrence E. Kelley: Retired Chairman, Minneapolis Junior Chamber of Commerce; Member, Minneapolis Fair Employment Practice Commission.

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SUMMARY OF ARGUMENTS FOR A MINNESOTA STATE

FAIR EMPLOYMENT PRACTICE COMMISSION

1. It is proposed that the Legislature of the State of Minnesota should enact a law to prohibit discrimination in employment because of race, religion, national origin, or ancestry. It should create a Commission to administer this Law and should endow it with enforcement powers. (See Digest of Fair Employment Practice Bill by Judge Edward F. Waite, page 5.)*
2. This proposal has the active support of a representative cross-section of Minnesota organizations whose membership are concerned with progress in the field of human relations. (See list of Executive Board and Membership of Minnesota Council for Fair Employment Practice, pages 6-11.)
3. The members of minority groups in the State of Minnesota face serious barriers in seeking employment opportunities and the state loses their potential productive power by failing to make full use of their training and skills. (See findings of Minneapolis Community Self-Survey of Human Relations, pages 13-19. Also oral testimony presented by Mr. William Seabron and Mr. Whitney Young.)
4. After careful consideration of the evidence, the business, labor and civic leaders in Minneapolis who served on the Industry and Labor Committee of the Self-Survey recommended "that sound State Fair Employment Practice Legislation, with enforcement powers, be enacted and judiciously administered." (See Membership and Recommendations of Industry and Labor Committee, pages 12, 13, and 20.)
5. Responsible business and civic leaders throughout the State of Minnesota who have studied the problem of discrimination in employment have reached the conclusion that a state commission against discrimination in employment, with enforcement powers, should be established as one important step toward the constructive solution of this problem. (See letters from Julius H. Barnes, President, Barnes Shipbuilding Company, Duluth; George M. Jensen, Regional Zone Manager, Nash-Kelvinator Corp.; Nate V. Keller, Chairman, Minnesota Department, American Legion; York Langton, President, Minnesota United Nations Association; and Bradshaw Mintener, Vice-President and General Counsel, Pillsbury Mills, pages 21-26.)
6. Both the Republican and the Democratic-Farmer-Labor Parties of the State of Minnesota have adopted as a part of their platform and of their Legislative program for 1949 the enactment of state legislation against discrimination in employment. (See letters from Bernhard W. LeVander, State Chairman, Minnesota Republican State Central Committee; and Orville L. Freeman, State Chairman, Minnesota Democratic-Farmer-Labor State Central Committee, pages 27 and 28.)

(* Page numbers refer to pages in this brochure.)

7. The St. Paul Pioneer Press supports by editorial policy the enactment of this legislation. They state, "Enactment of an FEPC law in Minnesota would be an important step in the necessary educational program always discussed by those who give fair practice regulations no more than a lukewarm sort of lip-service." (See editorial on page 4 of the St. Paul Pioneer Press, February 12, 1949, page 29.)

8. The Commissions operating in the four states which now have fair employment practice laws with enforcement powers have been able to adjust the problems presented to them so far without either public hearings or court action. Furthermore, the enactment of these laws have not accelerated the migration of minority workers into those states nor has it caused a migration of industry out of those states. (See letters from the New York, Connecticut, and New Jersey Commissions, pages 30-32; and figures on business activity from New York and Connecticut, pages 35-37.)

9. Business experience with the administration of fair employment practice laws have shown that they have been administered with even-handed justice and have helped business management to carry out a policy of non-discrimination in employment. Bradshaw Mintener stated, "Pillsbury Mills operates plants and offices under the jurisdiction of both the New York and the Minneapolis Fair Employment Practice Commissions, and we have been able to work with them constructively in establishing and extending sound personnel policies." (See also letters from business leaders in New York, Massachusetts, New Jersey, and Connecticut, pages 33-39.)

10. Experience with the administration of fair employment practice laws demonstrates that they have protected employers against unfounded charges of discrimination. Investigation by an impartial agency clears the air of suspicion and misunderstandings and works to ease tensions and to build improved relations between the members of different racial, religious, and nationality groups. (See statement of Fair Employment Practice Commission Experience, page 40.)

11. Fair employment practice laws, as administered by the commissions, have expanded opportunities open to minority workers and have improved the personnel policies of industries in utilizing these workers at their highest skills. The clear statement of a public policy against discrimination, and the establishment of commissions with enforcement powers, have proved to be powerful instruments with which to overcome the barriers to the employment of qualified minority workers. The enforcement provisions are essential to persuade some employers and union leaders to give serious attention to this problem. When they do so, they become convinced that non-discrimination is sound personnel practice and sound union policy. The value of this legislation is not measured by the number of complaints, indicating violations of the law, but by the extent of observance of the law. Furthermore, the satisfactory adjustment of a single complaint often has a far-reaching effect in expanding employment opportunities. An employer is not required to hire any workers from minority groups. He is simply prohibited from excluding qualified workers from consideration because of their race, religion, or national origin. This legislation grants no special privileges to the members of minority groups, but simply puts them on the same basis as other workers in being considered for employment on the basis of their skills. The education which results when workers become acquainted with the members of other groups at their own level of education and skill is the most important single factor in eliminating prejudice and building good-will among the peoples of the world. (See statement on Results Achieved Through the Work of Fair Employment Practice Commissions, pages 41 and 42.)

Subsequently the Director issues a complaint which is served on the person charged, styled the respondent, and on the person claiming to be wronged, who may thereupon appear as an intervenor. The complaint and the answer of the respondent are filed with the Governor, together with a report of the Director showing fully all efforts for conciliation. The Governor may then appoint three persons as a Board of Review, who informally try the disputed issue in the county where the unlawful practice is alleged to have occurred. Each member of the Board receives \$15.00 per day while actually employed on the case with necessary expenses.

If the charge is found unproven the complaint is dismissed. If proven, the Board may make an order that the respondent cease the unfair practice, and directing the hiring, reinstatement or upgrading of the employee, or restoration to membership in a labor organization. In case of non-compliance the Director applies to the District Court for an order of enforcement, filing with his petition a transcript of the record before the Board of Review. The District Court then has complete jurisdiction, subject only to review by the Supreme Court on writ of certiorari. It may receive additional testimony or return the case to the Board of Review for that purpose. Failure to obey its final order is punishable as contempt of court. For the administration of the ACT the sum of \$3,000 is made immediately available, \$22,000 being provided for the year ending June 30, 1948, and \$25,000 for the following year.

1949

Digest of Fair Employment Practice Bill

Minnesota Senate File No. 81
House File No. 148

By Edward F. Waite
Retired District Judge
Hennepin County



MINNESOTA
FAIR EMPLOYMENT
PRACTICES COUNCIL
616 New York Life Bldg.
Minneapolis 2, Minn.

Purpose

The purpose of the proposed ACT is to eliminate practices of discrimination in employment because of race, religion, color or national origin. Such discrimination is declared to be "an unfair employment practice," and a concern of the state in that it "threatens not only the rights and privileges of its inhabitants, but menaces the institutions and foundations of the free democratic state."

The bill is broadly modeled upon legislation which has been in effect in New York and New Jersey for two years, and in Massachusetts since April, 1946. The Minnesota bill was prepared at the request of Governor Youngdahl in the office of the Attorney General and in collaboration with the Governor's Interracial Commission, appointed by Governor Thye in 1943.



Scope

It applies to employers, labor unions and employment agencies, but does not cover employers of less than twenty persons; social or fraternal groups; charitable, educational or religious associations or corporations not organized for private profits; or persons employed in domestic service, or by their parent, spouse or child. It is declared an unfair practice:

1. For an employer, because of race, religion, color or national origin of any person, to refuse to employ him, or to discharge him from employment, or discriminate against him in any of the conditions of employment.

2. For a labor organization, for like reasons, to exclude or expel a person from membership, or discriminate against him in any way.
3. For an employment agency to make a like discrimination in listing or referring for employment.



Administration

There is created a Fair Employment Practice Commission of fifteen persons appointed by the Governor to serve without compensation. The Governor also appoints, with the consent of the Senate, a Director for a term of five years at an annual salary of \$5,000. The Commission and Director are charged with the administration of the ACT, the duties of the former being chiefly advisory and educational; those of the latter being executive, to investigate and correct alleged unfair employment practices. A Board of Review is also provided for with functions as hereinafter indicated.



Procedure

A person claiming to be the subject of an unfair employment practice may file a petition with the Director stating his grievance. Whereupon the Director investigates the case and if there appears to have been an unfair practice he undertakes to correct it "by conference, conciliation and persuasion." If this fails, the matter is referred to the Commission, which in its discretion may make a recommendation for further proceedings.

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MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICE

EXECUTIVE BOARD

Officers

Chairman: John Simmons
Minneapolis Chapter, Americans for Democratic Action

1st Vice-chairman: Curtis Chivers
Minneapolis Branch, NAACP

2nd Vice-chairman: Isamu Shijo
United Citizens League of Minnesota

Treasurer: Jonas G. Schwartz
Minneapolis Attorney

Secretary: Hubert Schon
United Labor Committee for Human Rights

Asst. Secretary: Phyllis McAllister
Faculty member, College of St. Catherine

Members of the Board

Edward V. Donahue
State Industrial Union Council, CIO

Frank Marzitelli
Minnesota Federation of Labor, AFL

Bradshaw Mintener
Vice-President and General Counsel, Pillsbury Mills
General Chairman, Minneapolis Community Self-Survey
of Human Relations

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MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICE

MEMBER ORGANIZATIONS

1. Organization: Laundry Workers Local No. 183 AFL
Representative: Ella M. Crohn
Address: 1335 LaSalle Avenue
LI 5418
2. Organization: University Student Council of Religion
Representative: Patricia Just
Address: Sanford Hall
University of Minnesota
Minneapolis 14, Minn.
MA 8177
3. Organization: Twin City Youth Fellowship
Representative: Clarence Matsumura
Address: 318 W. Lake Street
Minneapolis, Minn.
PL 8198
4. Organization: Attucks-Brooks Post #606, American Legion
Representative: Martin O. Weddington
Address: 714 W. Central
St. Paul, Minn.
DA 6438
5. Organization: Mpls. League of Women Shoppers
Representative: Mrs. Clifford Kirkpatrick
Address: 3343 Portland Ave. S.
Minneapolis, Minn.
LO 6741
6. Organization: State Council American Veterans Committee
Representative: Warren Christianson
Address: 321 Coffman Memorial Union
University of Minnesota
Minneapolis 14, Minn.
7. Organization: Mpls. Branch Womens International League for Peace &
Representative: Alice F. Drechsler Freedom
Address: 5559 - 23rd Ave. S.
Minneapolis, Minn.
DR 7695
8. Organization: St. Paul American Veterans Committee No. 1
Representative: Miles Clark
Address: 1571 Grand Ave.
St. Paul
EM 8484

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9. Organization: United Labor Committee for Human Rights
Representative: Hubert A. Schon
Address: 616 New York Life Bldg.
 Minneapolis, Minn.
 GE 9355
 10. Organization: University Ch. American Veterans Committee
Representative: Richard Bruner
Address: 112 Oliver Ave. N.
 Minneapolis, Minn.
 AL 9177
 11. Organization: American Scandinavian Women's Club
Representative: Mrs. E. R. Olson
Address: 3137 Cedar Ave.
 Minneapolis, Minn.
 DU 3915
 12. Organization: Minnesota Federation of Labor
Representative: Frank Marzitelli
Address: 418 Auditorium
 St. Paul 2, Minn.
 CE 1118
 13. Organization: United Citizens League
Representative: Isamu Sam Shijo
Address: 1942 Merriam Lane
 St. Paul, Minn.
 MI 0539
 14. Organization: College of St. Catherine
Representative: Phyllis McAllister
Address: 5345 France Ave. S.
 Minneapolis, Minn.
 WH 1275
 15. Organization: University Y.W.C.A.
Representative: Anna Mae Idzal
Address: Coffman Memorial Union
 University of Minnesota
 Minneapolis 14, Minn.
 16. Organization: Queen Esther Temple No. 2
Representative: Viria Jean Webb
Address: 605 Olson Blvd.
 Minneapolis, Minn.
 AT 2987
 17. Organization: Jewish National Workers Alliance Farband Br. 214
Representative: Phillip Rockler
Address: 3415 Pleasant Ave.
 Minneapolis, Minn.
 LO 0211

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18. Organization: Holsey Memorial C. M. E.
Representative: Mr. R. L. Martin
Address: 526 Girard Ave. N.
 Minneapolis 11, Minn.
 GE 7892

 19. Organization: Mpls. Chapter of Hadassah
Representative: Mrs. Sigmund Harris
Address: 3217 Holmes Ave.
 Minneapolis, Minn.
 CO 7602

 20. Organization: Mpls. Br. of N. A. A. C. P.
Representative: Albert Allen, Jr.
Address: 3904 - 5th Ave. S.
 Minneapolis, Minn.
 LO 4714

 21. Organization: Minnesota Jewish Council
Representative: Samuel Scheiner
Address: 616 New York Life Bldg.
 Minneapolis, Minn.
 GE 9355

 22. Organization: Labor Lyceum College
Representative: Joseph Blumenthal
Address: 807 Emerson Ave. N.
 Minneapolis 11, Minn.
 AL 7693

 23. Organization: Mpls. Urban League
Representative: James T. Hardlaw
Address: 202 Times Annex
 Minneapolis 2, Minn.
 AT 1412

 24. Organization: Mpls. Council of Church Women
Representative: Belle Inglis
Address: 2436 Bryant Ave. S.
 Minneapolis 5, Minn.
 KE 0300

 25. Organization: Social Action Comm. - 1st Universalist Church
Representative: Harold Wilson
Address: 3932 Vincent Ave. S.
 Minneapolis 8, Minn.
 VA 1393

 26. Organization: Women's Club
Representative: Mrs. Russell Duncan
Address: 128 West Elmwood Place
 Minneapolis, Minn.
 RE 3836

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27. Organization: Alpha Phi Alpha Fraternity
Representative: Charles F. Rogers
Address: 885 Rondo
St. Paul, Minn.
EL 4603

 28. Organization: Delta Phi Omega Sorority
Representative: Mrs. Beatrice Reed
Address: 243 St. Anthony Ave.
St. Paul, Minn.
DA 4422

 29. Organization: Salesmen's Club.
Representative: Dr. Derso Shybekay
Address: P. O. B. 324
Minneapolis, Minn.
LI 4158

 30. Organization: Minnesota State Council, Women's International League
Representative: Leone Wilder for Peace and Freedom
Address: 3424 - 47th Ave. S.
Minneapolis, Minn.
DR 0588

 31. Organization: Electa Ch. No. 3
Representative: Mattie Deanning
Address: 3836 Clinton Ave. S.
Minneapolis, Minn.

 32. Organization: American Federation of State, County & Municipal Employees
Representative: Mary Leonard
Address: 890 Parkview
St. Paul 3, Minn.
HU 3070

 33. Organization: American Federation of State, County & Municipal Employees,
Representative: Genevieve Morrison Local No. 9
Address: 4529 Lyndale Ave. S.
Minneapolis 9, Minn.
RE 2903

 34. Organization: Americans for Democratic Action, Minn. State Organization
Representative: David La Vine
Address: 1815 University Avenue S.E.
Minneapolis 14, Minn.
GL 5986

 35. Organization: Americans for Democratic Action, Minneapolis Chapter
Representative: Rev. John Simmons
Address: 2614 Vincent Ave. N.
Minneapolis, Minn.
AL 2590

 36. Organization: American Veterans Committee, Minneapolis Chapter
Representative: Sheldon D. Karlins
Address: 1063 N.W. Bank Building
Minneapolis 2, Minn.
BR 4184

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37. Organization: Carleton College Student Assn., Civil Rights Committee
Representative: Lora Lou Meade
Address: Carleton College
Northfield, Minn.
38. Organization: Minneapolis Committee on Racial Equality
Representative: Harriet Lane
Address: 722 Fremont Ave. North
Minneapolis, Minn.
CH 3307
39. Organization: State CIO Council
Representative: Ed V. Donahue
Address: 2530 Harriet Ave. South
Minneapolis, Minn.
LO 3375
40. Organization: Minneapolis Council of Jewish Women
Representative: Miriam Karlins
Address: 4956 Emerson Ave. South
Minneapolis, Minn.
CO 6706

COOPERATING ORGANIZATIONS

Minneapolis Jewish Federation
Disabled American Veterans
St. Thomas College Student Association
Womens League..Temple AARON
Redeemer Lutheran Church
Macalester College Christian Association
Pilgrim Baptist Church of Minneapolis
Bureau of Catholic Charities
Federation of Catholic Mothers
Minn. Congregational Conference, Social Action Committee
Minnesota Council of Churches

MINNEAPOLIS COMMUNITY SELF-SURVEY OF HUMAN RELATIONS

INDUSTRY AND LABOR COMMITTEE

The city of Minneapolis conducted an extensive self-survey of its practices in dealing with the members of different racial, religious, and nationality groups during 1947-48. One of the problems specifically studied was that of employment. The following persons served as employer and public members of the committee studying employment practices:

Chairman: Mr. Bradshaw Mintener, Vice-president and General Counsel,
Pillsbury Mills

Members:

Mr. Stuart Leck, President, James Leck Construction Company
Mr. Alfred M. Wilson, Vice-president, Mpls. Honeywell Heat Regulator Corp.
Mr. George Prouty, Personnel Director, Munsingwear Inc.
Mr. John Sherman, Vice-president in charge of Personnel, Strutwear Inc.
Mr. Walter Feldman, President, Electrical Machinery Corp.
Mr. Arthur Randall, Personnel Director, D. W. Onan & Sons
Mr. Cameron W. Elliott, Personnel Director, Mpls. Moline Power Implement Co.
Mr. Kenneth Emanuelson, Mpls. District Mgr., Northwestern Bell Telephone Co.
Mr. Neil Cronin, Cronin, Mitchell, & Spooner
Mr. Thomas Vennum, Vennum, Neville, Wright, & Newhall
Judge Edward F. Waite, Retired District Judge, Hennepin County

Information provided to this committee was based upon the employment practices which existed before the passage of the Minneapolis Fair Employment Practice ordinance in January, 1947. After a very thorough investigation, this committee found that serious and extensive discrimination in employment existed in Minneapolis at that time.

The following specific recommendations were included among those agreed to by the entire committee:

That the Minneapolis Fair Employment Practices Ordinance as amended October 29, 1948 be given wide publicity as to its contents and purposes; further that employers, unions and recruitment agencies be fully informed as to its progress to the end that the public as a whole will give its wholehearted support to the ordinance and its effective administration.

That sound state Fair Employment Practices legislation, with enforcement powers, be enacted and judiciously administered.

The full report, including the complete recommendations, of the Industry and Labor Committee is attached.

REPORT AND RECOMMENDATIONS
of the
INDUSTRY AND LABOR COMMITTEE
of the
MINNEAPOLIS COMMUNITY SELF-SURVEY OF HUMAN RELATIONS

Committee personnel is as follows:

Chairman, Mr. Bradshaw Mintener

Members:

Mr. Stuart Leck
Mr. Alfred Wilson
Mr. George Prouty
Mr. John Sherman
Mr. Walter Feldman
Mr. Arthur Randall
Mr. Neil Cronin
Mr. Thomas Vennun
Mr. Cameron W. Elliott
Mr. Kenneth Emanuelson
Mr. Clarence Benson

Mr. Douglas Hall
Mr. George Johnson
Mr. Oscar Winger
Mr. George McDonald
Mr. Rubin Latz
Mr. Norman Carle
Mr. Ernest Donaghue
Mr. William Seabron
Judge E. F. Waite
Mr. Hubert Schon
Mr. Fumio Hangai

This is a summary of the findings of the Industry-Labor Committee of the Community Self-Survey and a statement of certain recommendations which the Committee feels are essential to improving the employment opportunities for members of certain minority groups in Minneapolis.

The function of the survey was to determine the majority-minority relations in industry in an attempt to discern the nature and extent of the minority problem in Minneapolis economic life.

The information upon which the full report is based was obtained principally from questionnaires mailed to employers and trade union locals; from personal interviews with employers, local trade union officials, individual wage earners, and from public and private agencies concerned with industrial relations in the city of Minneapolis.

While conditions here are probably not substantially different from those to be found in other Northern cities of comparable size, there are important points which ought to be brought to the attention of the public.

A. EDUCATION AND TRAINING OF WORKERS

1. That of the group surveyed, the Jewish and Negro employees have a higher median average of basic schooling, (years 1-12, non-Vocational) than do white gentile employees.
2. That the attainment of a given occupational level by a member of a minority group required a proportionately higher educational achievement as the intensity of the feeling against a minority group increased. Thus, the educational attainment, to achieve a given occupational level, for Negroes must be greatest, for Jews somewhat less, and for Nisei, the least of the minorities studied.
3. That the proportion of white gentile workers having trade or business education was larger than that of Jews or Negroes, though over 80 per cent of all three groups had not had any such training.
4. That through the war production training program, both in number of jobs trained for and promotions based upon such training, proportionately, the Negro workers reporting ranked highest, the Jewish group next, and white gentiles third. Yet this has not been reflected in a significant change in occupational status of the minorities relative to the majority in the post-war period as of the end of 1946.
5. Even when facilities for vocational training are available to the minorities, they sometimes lack the incentive to train because of the prospect that they cannot get jobs and wage rates available to white gentiles with similar qualifications. The Negro feels this more keenly than Jews or Japanese-Americans.
6. Some form of training was offered its employees by 90 per cent of the firms reporting; but between one-third to one-half of those hiring the minorities gave them no training.

2.

7. While about one-third of the unions offered apprenticeship training, it was not a significant source of vocational training for the minorities. Only from 5 to 18 per cent of the unions had the minorities in their training programs. Negroes fared worst and Jews best among the minorities in such programs.
8. War production training experience in Minneapolis during World War II demonstrated that minorities, like white gentiles, will respond to vocational training opportunities when they have a reasonable prospect of employment at the skills learned at standard wage rates and an opportunity for promotion in keeping with their training and efficiency on the job. However, it was too limited in duration and content to be directly transferable to normal peacetime jobs.

B. EMPLOYMENT OPPORTUNITIES FOR MINORITIES

1. The wide difference between kinds of jobs held by white gentiles and minority groups has prevailed over a long period, and at the time of this study, showed little sign of change. However, since that time some progress has been made in opening job opportunities, particularly for Negroes, in department store clerking. Nevertheless, this difference between the kinds of jobs held by white gentiles and minority groups is strong evidence that minority status is important in Minneapolis in the selection of workers for jobs. The Jewish group has remained concentrated in clerical and sales jobs; Negroes in non-manufacturing service jobs of the lower and less desirable levels.
2. Jews face obstacles in industrial employment, like Negroes and Japanese-Americans, though higher levels are open to them than to the other minorities studied.
3. The presence of a substantial group of Jewish employers provides one special field of job opportunities open to Jewish workers. This is a situation not typical of other minorities.
4. The present position of the minority groups as compared with that of white gentiles is little different from that held in 1940. However, they have shared with wage earners generally the improved economic status which has accompanied rapidly expanding industrial activity during the period 1940 to 1947.
5. The community at large, as well as industry, is deprived of the full productive potential of minority groups as workers through:
 - a. inequalities of opportunity for training.
 - b. established practices of discriminatory labor recruitment.
 - c. discouraging of technically qualified individuals whose opportunities for advancement are limited by their race, creed, color or national origin.

3.

burdened with the resultant social costs of such inequitable treatment.

6. One of the most serious and yet most elusive obstacles to the fair employment of minorities is discriminatory practices of recruitment agencies. The elimination of such practices depends, finally, upon the action of employers since they control the channels of recruitment through which the great majority of workers are employed and also have the final right to accept or reject applicants from any such agency.

However, the employment agency forms the initial contact between the employer and prospective employee and is thus in a strategic position to either promote or discourage fair employment practices. In many cases these agencies can assist in the process of educating employers to the advantages of non-discriminatory personnel practices.

C. UTILIZATION OF MINORITIES

Users vs. Non-Users

1. Of 523 firms reporting prior to January 1, 1947, the following percentages of firms hired the listed combinations of minority group people:
 - 63% hired no Jews, Negroes, or Japanese-Americans.
 - 37% hired one or more Jews, Negroes and/or Japanese-Americans.
 - 13% hired Jews only.
 - 5% hired Negroes only.
 - 2% hired Japanese-Americans only.
 - 9% hired Jews and Negroes.
 - 3% hired Jews and Japanese-Americans.
 - 1% hired Negroes and Japanese-Americans.
 - 3% hired Jews, Negroes and Japanese-Americans.
2. Of 340 manufacturing firms responding, 39 per cent hired and 61 per cent did not hire one or more Jews, Negroes or Japanese-Americans.

Of 163 non-manufacturing firms responding, 31 per cent hired the minorities while 69 per cent did not.
3. The following percentages of firms in the listed main industry groups in 1947 employed one or more members of the minorities studied:

Textile and apparel	88%
Machinery	46%
Wholesale and retail trades	40%
Printing, publishing and paper	
manufacturing group	39%
Planing mill, furniture and other	
wood products	37%

4.

Personal services	36%
Iron, steel, non-ferrous metals etc.	32%
Food and kindred products	28%
Finance, insurance, banks and real estate.	24%
Transportation, communication and utilities	18%

4. On the basis of 1947 experience, in all main industry groups except textiles and apparels, members of the minorities can expect employment in less than one-half of the firms.

Distribution of Users

5. Of 184 firms responding that they do employ the minorities, 72 per cent were in the manufacturing industries and 28 per cent were in non-manufacturing service industries.

Size of Firm

6. The average size firm in Minneapolis is small (28 employees); that of firms not employing the minorities is even smaller (20 employees); while those employing minorities are concentrated among the larger than average size establishments (55 employees). The 40 per cent of all firms which employed the minorities, numbered among their labor force 80 per cent of the estimated total employees.

Occupational Distribution

7. Of the three minorities studied, a qualified Negro was most narrowly restricted as to the occupational levels he might expect to reach; the Japanese-American was somewhat less restricted; and the Jew had the best opportunity, though he too suffered real limitations, particularly in the upper occupational levels. Of the firms employing the minorities, 48 per cent of those employing Negroes, 13 per cent employing Japanese-Americans and 10 per cent employing Jews, respectively, used them at the unskilled labor level.

Period of Utilization

8. In point of tenure as industrial workers in Minneapolis, the Jewish minority is the oldest and most stable of the three while the Negro and Japanese-American groups are younger and their status in industry more uncertain and unstable. About 75 per cent of the present employers of Jews had them on their payrolls prior to January 1, 1942. However, 60 per cent of those hiring Negroes and 80 per cent of those hiring Japanese-Americans employed them since January 1, 1942.

D. MINORITIES AND UNIONS

The Union and Minority Adjustment

1. The discriminatory treatment of the minorities by unions has an important effect upon industrial relations. Failure to accord equal treatment and rights to all workers may result in inter-group tension and disharmony which leads to low levels of productivity. Furthermore, in order to maintain internal strength and stability, which is essential to effective collective bargaining, it is important that unions adopt and maintain a policy of representing with equal vigor all of its members.

Significance of Minorities in Union Locals

2. Of the sample studied, 62 per cent of the Negroes, 59 per cent of the white gentiles, and 51 per cent of the Jews belonged to a union.
3. While a larger percentage of Negroes than Jews were union members, the Jewish group was more widely diffused among the unions, e.g. 72 per cent of the locals had Jewish members and 62 per cent had Negroes.
4. Negro and Japanese-American workers had membership in labor organizations in proportion to (Negro) or more than proportionately to (Japanese-American) their numbers in the total population, while Jewish memberships were less than proportional to their memberships in unions respectively; and was proportionately larger than that of their white gentile brothers.

Membership Status

5. The overwhelming majority of reporting union locals did not officially deny membership right to Jews, Negroes, or Japanese-Americans. But most of the locals whose parent internationals maintain a discriminatory policy with regard to one or more of these minorities did not reply. Because these are concentrated among the highly skilled craft unions which exercise close control over the hiring and training of workers in their crafts, their practices seriously limit both the immediate and the long-range employment opportunities of the minorities.

Participation

6. Of all union locals reporting (in 1947) the minorities were judged average or above average on the basis, respectively, of 10 standards of a good union member in the following percentage of locals: Jews, between 94 per cent and 97 per cent of the locals; Negroes, between 93 per cent and 100 per cent

6.

of the locals; Japanese-Americans between 80 per cent and 100 per cent of the locals.

7. Of all union locals reporting on participation of the minorities in union affairs, 23 per cent had Jewish, and 15 per cent had Negro officers; 19 per cent had Jewish and 10 per cent had Negro board members.

Minority Policy and Its Implementation

8. Eighty per cent or more of the union locals reporting felt that the three minorities were beneficial to the success of the labor movement of Minneapolis, and about 80 per cent indicated that they were making some effort to educate their memberships to the acceptance of a policy of equal work opportunity for all members. However, a sizeable number of locals was non-committal on such matters.
9. Education and persuasion through talks and discussions in meetings and through the distribution of anti-discrimination literature constituted the most generally used union methods of promoting fair employment practices; efforts to enact anti-discrimination clauses in the local constitutions and to gain their inclusion by employers in union-management contracts were next in importance. Specific machinery for enforcing the avowed non-discriminatory policy was found to be rare. Only 6 per cent of the locals reporting had anti-discrimination committees or their equivalent.
10. A substantial majority of the locals expressed a willingness to foster fair employment practices by refraining from giving aid and comfort to recalcitrant employers or to rebellious members of their rank-and-file membership whose actions contributed to discriminatory patterns of minority utilization. However, whereas between 90 and 100 per cent of the unions reporting were willing to cooperate with employers who wished to convert their employment practices to a non-discriminatory pattern, only between 65 and 70 per cent of them were certain that they would persuade white members to accept such a policy when this group expressed open opposition to it.

RECOMMENDATIONS

The Committee makes the following recommendations:

1. That educational programs in human relations be encouraged and initiated by employers and recruitment agencies; that educational programs in human relations now sponsored by labor organizations be expanded in scope, participation and intensity.
2. That members of minority groups be encouraged to follow vocational, business or academic training for which they are best qualified.
3. That vocational counselors recommend to those whom they counsel, training in the field of employment in which the individual shows the greatest aptitude without reference to the counselee's race, color, creed, or national origin.
4. That apprenticeship courses and employer training courses be open to all workers on an equal basis.
5. That sound state Fair Employment Practices legislation, with enforcement powers, be enacted and judiciously administered.
6. That the Minneapolis Fair Employment Practices Ordinance as amended October 29, 1948 be given wide publicity as to its contents and purposes; further that employers, unions and recruitment agencies be fully informed as to its progress to the end that the public as a whole will give its wholehearted support to the ordinance and its effective administration.
7. That the activities of the Joint Committee on Employment Opportunities be made known to the public and full public support for the work of this committee be sought in a further effort to open up new job opportunities for the minorities.
8. That unions and employers jointly agree to place some stipulation in collective bargaining contracts through which both parties recognize the unfairness of discriminatory practices based on race, creed, color or national origin and agree that no discrimination shall at any time be permitted to exist in the particular plant, company or industry for which a contract is being negotiated.

C O P Y

JULIUS H. BARNES
505 Lonsdale Building
Duluth 2, Minnesota

19 Rector Street
New York 6, New York

Duluth, Minnesota
February 1, 1949

Mr. Harvey Hoshour
E-1512 First National Bank Bldg.
St. Paul, Minnesota

My dear Harvey:

I am glad to confirm to you that by study, observation and conviction I feel that the standards expressed in the proposed F.E.P.C. legislation are, in my judgment, entitled to public approval and public confidence.

I put special weight on the philosophy that in a democracy the individual is the important factor, and fairness and equality of treatment the only atmosphere in which individual character can develop and individual attainment be the achieved goal of purpose, ability and effort.

The F.E.P.C. ideal appears to me to be one of even-handed justice and equal opportunity, assured by the authority of government itself. The instinctive American respect for equal treatment and for fair play would be strengthened and stimulated by such an attitude on the part of government itself.

I wish you and your associates who have actively furthered this ideal may achieve success in at least creating the conditions under which good citizenship may fairly operate.

Sincerely,

(S) JULIUS H. BARNES

Julius H. Barnes

JHB:ss

KELVINATOR
Division of Nash-Kelvinator Sales Corporation

708 South Third Street
Minneapolis 15, Minn.

February 9, 1949

Senator Gerald Mullin
Minnesota State Capitol
St. Paul, Minnesota

Dear Senator Mullin:

As a sponsor of the proposed legislation involving the creation of a state commission against discrimination in employment, you will, no doubt, be interested in the experience that we have had here in Minneapolis as a result of the passage of our Fair Employment Practice ordinance.

The mere passage of the ordinance has had a very beneficial effect and has, I sincerely believe, been responsible for the elimination of employment discrimination in a number of instances. In addition to this, the mere passage of the ordinance has caused a number of the larger Minneapolis employers to review their personnel policies as they might tend to cause discrimination or create the impression that discrimination was practiced.

A number of employers here in Minneapolis have expressed to me the conclusion that although in some quarters of their organizations the idea of legislation of this nature has been resisted, compliance has proven that many of the ill effects expected from the legislation have failed to develop.

From the very creation of the local Fair Employment Practice Commission, I have been an observer of the work of the commission (having acted as its chairman for the first year and a half of its existence) and it is my opinion that employers, employees, and citizens of our community at large, have benefited from the salutary effects of the ordinance and the sound and constructive approach to the educational problems involved that the commission has adopted.

Judging by our local experience, I am definitely of the opinion that such legislation, enacted at the state level, if soundly and constructively administered, would prove of definite value to the citizenry of the state as a whole.

Very sincerely yours,

s/ Geo. M. Jensen

Geo. M. Jensen

GMJ:bw

THE AMERICAN LEGION

Department of Minnesota
600 Shubert Building
Saint Paul 2

Virginia, Minnesota
January 31, 1949

Mr. Bradshaw Mintener
616 New York Life Building
Minneapolis 2, Minnesota

Dear Sir:

Pardon the delay in answering your letter of January 3rd concerning FEPC, which came to me as Department Chairman of the Employment Committee of The American Legion.

The American Legion is very much interested in the FEPC; in fact, at everyone of our past three State conventions, our convention committee, of which I have always been the chairman, passed a resolution endorsing it, and not only that, but we are willing to help in any way possible. If it would help any, I would be very happy to contact by letter all the members of the House and Senate of our State Legislature advising them of the stand of The American Legion on this very important project.

Please advise me where and when The American Legion can help the most.

Very truly yours,

s/ Nate V. Keller

Nate V. Keller
Department Chairman
American Legion Employment Committee

NVK:vl

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MINNESOTA UNITED NATIONS ASSOCIATION

316 Newton Building
St. Paul 1, Minnesota

The Minnesota United Nations Association, at a recent meeting of its Executive Committee, issued the following statement:

"The Minnesota United Nations Association strongly supports the bill sponsored by Governor Luther H. Youngdahl, commonly known as the Minnesota Fair Employment Practices Act. This bill, if enacted into law, would give every person an opportunity to obtain employment without discrimination because of race, color or religion. This legislation is in conformity with the Charter of the United Nations, which in Chapter Nine states: 'The United Nations shall promote a universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.' The United Nations has recently emphasized this principle by the acceptance of the Declaration of Human Rights. Several states have adopted legislation of the type now pending in Minnesota. Four states have bills with strong enforcement powers, and reports show that these have operated successfully, giving protection to both employer and employee.

"As a nation profoundly interested in peace, we must recognize, as Senator Austin says, that this important issue of doing away with discrimination is the foundation stone on which the temple of peace must rest.

"The Minnesota United Nations Association believes that enforcement powers are necessary for the successful operation of any FEPC legislation, and urges that such powers be included in the bill now before the legislature."

s/ York Langton

York Langton, President

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MINNESOTA COUNCIL
FOR A
PERMANENT FAIR EMPLOYMENT PRACTICE COMMITTEE

REV. JOHN G. SIMMONS
Chairman

HUBERT SCHON
Secretary

616 NEW YORK LIFE BUILDING
MINNEAPOLIS 2, MINNESOTA

3

January 3, 1949

Dear Friend:

After considerable thought and reflection, I have come to the conclusion that as a nation we cannot afford the luxury of having people within it who practice discrimination. The wealth of our country is in its natural resources and in its people. The material wealth of a nation is what it produces in the way of goods and services. Our production today, and therefore, our wealth, is less than it might be, because we refuse to let certain people perform tasks for which they are particularly fitted, solely because of a prejudice against their color or religion.

Because of my intense feeling in this regard, I became a member of the Minnesota Council for a Permanent Fair Employment Practice Committee, and am giving of my time and effort, in order to encourage the passage of a fair and equitable Fair Employment Practices Act at this session of our State Legislature.

I cannot see how we can ever realize our full measure of national economic well-being until every man and every woman is not only permitted, but encouraged to work at whatever he can best do, regardless of his color, his religion or his social standing. As a people, our moral conscience will not be truly free until we set ourselves free from prejudice. As individuals, our lives will not be complete until we can learn to value each man on the basis of what he contributes to society, without reference to his social status, his name, his religion, race or nationality.

It is equally important that as a nation, we cannot afford discrimination in terms of our foreign policy. In a hundred different points throughout the globe our democratic philosophy is locked in a struggle with other philosophies. We believe strongly that our cause is right, and that we have achieved at least a beginning on the road to human dignity. Yet, how can we hope to unite a world of people where the white people are in the distinct minority and the yellow, black and brown races are the majority, when by our acts we tacitly admit that there is room in a democracy for at least two classes of citizenship. Is it any wonder that we are finding it difficult to sell our product of democracy in some markets abroad these days?

Our organization, and I particularly, are, through this letter, requesting your participation in this most worthwhile and important cause.

-2-

We are taking the liberty of enclosing some printed material:

An article on Civil Rights by Charles Luckman, President of Lever Brothers; a reprint of an editorial which recently appeared in the Minneapolis Morning Tribune, indicating that the Chamber of Commerce of the United States is of the opinion that to effectively combat Communism, we must do away with want, poverty, and create equal opportunities for all; and a digest of the proposed Fair Employment Practices Act, by the Honorable E.F. Waite, retired District Judge - Hennepin County.

I am confident that after you have perused the enclosed materials, and have given this matter the thought and consideration that it requires, that we will be able to count you an ally in the task that faces us in making Fair Employment Practices a reality in the State of Minnesota.

Very sincerely yours,

Bradshaw Mintener
Bradshaw Mintener

BM:scl

MINNESOTA REPUBLICAN STATE CENTRAL COMMITTEE
1215 Pioneer Building
St. Paul 1, Minnesota

February 11, 1949

Mr. Harvey Hoshour
E-1512 First Natl. Bank Bldg.
St. Paul 1, Minnesota

Dear Harvey:

You inquire about my views on the proposed legislation for fair employment practices. First of all I wish to call to your attention the provision from the Statement of Principles and platform of the Republican Party adopted at the State Convention of September, 1948, which provides as follows:

"We recognize the need for the establishment of a permanent Fair Employment Practices Commission to eliminate discrimination because of race, color, religion or national origin, in private industry as well as in government work, including the National Guard, at the same time realizing that only education can permanently eliminate the deep-seated emotional prejudices which are the cause of discrimination."

The platform was passed unanimously by 1200 delegates representing all of Minnesota's 87 counties and representing the Republican Party of our state. Thus we find ourselves as a party committed to this program, and accordingly it is our intention to exert every effort to backing it up and supporting it. The Republican State Central Committee at its meeting of January 21 went on record for supporting the party program enunciated by Governor Youngdahl in his inaugural message, thereby reaffirming our support of FEPC in this session of the legislature.

I favor legislation which will curb and discourage discrimination. It is unfortunate that such legislation is necessary in a free system and under our Constitution which guarantees the right of all individuals regardless of race, color or creed. However, it appears that legislation establishing a commission to investigate discrimination when it occurs is the most intelligent means of making good on our claim to assure the enjoyment of civil rights to all classes and creeds.

Sincerely,

s/ Bernhard W. LeVander

Bernhard W. LeVander
State Chairman

BWL:cd

MINNESOTA
DEMOCRATIC-FARMER-LABOR STATE CENTRAL COMMITTEE
320 Midland Bank Building
Minneapolis, Minnesota

February 12, 1949

Mr. Harvey Hoshour
E-1512 First Natl. Bank Bldg.
St. Paul 1, Minnesota

Dear Mr. Hoshour:

As chairman of the Democratic-Farmer-Labor Party of the State of Minnesota, I am very happy to respond to your inquiry relative to the position of the DFL Party in the matter of fair employment practice legislation for our state. I am proud to report to you the position of the DFL Party on this matter.

At our State Convention held at Brainerd, Minnesota on June 15, 1948, the Convention of some 1500 delegates, representing all counties in our state, unanimously adopted a clear and unequivocal position calling for the immediate establishment of a State Fair Employment Practice Commission with enforcement powers.

In doing so the delegates to the Convention recognized clearly that education is a fundamental part of any program to eliminate such discrimination. In addition, they further recognized that it is fundamental to make effective those rights that are guaranteed to all citizens of our country that our government must have the power to enforce such rights, therefore, they agreed the passage of legislation to prevent discrimination in employment by employers, labor unions, or employment agencies because of race, color, creed, or national origin. The DFL Party has and will continue to exert its influence in the legislative arena to accomplish these objectives.

It therefore gives me real pleasure to have the opportunity of stating in support of your position that the DFL Party is in favor of the establishment of a Fair Employment Practice Commission in Minnesota and, upon the establishment of such a Commission, will be ready, willing, and anxious to support and cooperate with that Commission in accomplishing its objectives.

I appreciate this opportunity to make the position of my political party clear and I hope that favorable action on this important legislation to put into practice our fundamental beliefs in this country will be forthcoming in the very near future.

Very sincerely yours,

s/ Orville L. Freeman

Orville L. Freeman
State Chairman

EDITORIAL---St. Paul Pioneer Press, February 12, 1949, page four

CIVIL RIGHTS STRUGGLE

Minnesotans needn't assume quite the superior attitude common to northerners when viewing southern resistance to civil rights legislation. A parallel to present congressional maneuvering about the civil rights program is to be found in our own state Legislature now, as committees begin consideration of a bill whose only aim is that of guaranteeing fair employment practices, insofar as a statutory enactment can do so.

It is defeatist and "do-nothing" talk to raise the customary plea that discrimination as to race or religion in the hiring of employees must yield to the gradual process of education and bettered standards, rather than approaching it through an FEPC enactment.

Perhaps punitive measures cannot readily be invoked against offenders, and there is no indication that sponsors of the Minnesota proposal have that in mind. But there should be little hesitation about going formally on record against the practice of wholly unjustifiable discrimination. Enactment of an FEPC law in Minnesota would be an important step in the necessary educational program always discussed by those who give fair practice regulations no more than a lukewarm sort of lip-service.

While we're about it, public attitudes in St. Paul and Minneapolis and elsewhere in the state could be promptly changed in such a way as to give our professions of equality of opportunity and loyalty to the democratic way greater weight. A witness before a Senate committee at the state Capitol the other day said that of 200 manufacturing firms in St. Paul, only 110 employ Negroes at all, and only a dozen of them give members of that race jobs in accordance with their ability. Similar testimony from Minneapolis indicated that only 6 per cent of industry there employs Negroes in any type of job. Our record in this matter involving fundamental constitutional rights is certainly not one we can be proud of.

Minneapolis Morning Tribune

THE VOICE OF MINNESOTA
LARGEST MORNING NEWSPAPER IN THE UPPER MIDWEST



JOHN COWLES, President, GARDNER COWLES, Chairman of the Board, JOHN THOMPSON, Vice President and Publisher, GIDEON SEYMOUR, Vice President and Executive Editor; JOYCE L. SWAN, LYLE K. ANDERSON, STANLEY HAWKS, HAROLD PERKINS, Vice Presidents; CARROLL BINDER, Editorial Editor

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VOLUME LXXXII
NUMBER 267

TUESDAY, FEBRUARY 15, 1949

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For a State FEPC Law

THE FAIR employment practice bill now before the state legislature is honestly opposed by many persons.

They deplore the injustices which this bill seeks to correct. They admit that it is undemocratic to discriminate, in the matter of employment, on the basis of race, color or religion. They are sincerely interested in the plight of minority groups

racial problems, such as exist in the south. Those problems centering around our minorities are relatively simple, and do not form themselves into the bitterest patterns of prejudice found in many other states.

Minnesota is well situated, in short, to join those pioneers already working in the field of FEPC legislation. It may thus determine for itself how well the problem can be worked out on the state level.

The Tribune hopes that the FEPC bill now on



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As printed in The St. Paul Dispatch Friday, February 18

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Editorials—

The Only Real Issue

Thursday night's hearing before a Senate committee on the FEPC bill pending in Minnesota's Legislature brought emphasis once more on the oft-heard argument that the measure's purpose is "to compel an employer to hire someone he doesn't want."

some marked advances in farming, government agricultural statistics show.

The proved capacity of the Negro advance himself when he has the opportunity is cited by the Phelps-Stokes, one of the most hopeful signs of progress and better living conditions for t'



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STATE OF NEW YORK EXECUTIVE DEPARTMENT
STATE COMMISSION AGAINST DISCRIMINATION
270 Broadway, New York 7, N.Y.

January 24, 1949

Mr. Clifford E. Rucker
Informational Representative
The Governor's Interracial Commission
117 University Avenue
Saint Paul 1, Minnesota

Dear Mr. Rucker:

This will acknowledge your letter of January 21st.
I will first try to answer your questions.

- (1) No cases have been brought before the courts by this Commission up to the present time nor have any hearings been ordered which is the second step provided by our Law. All complaints received to date have been satisfactorily adjusted through conference and conciliation.
- (2) I do not believe we have any way of ascertaining whether or not the Law has been a factor toward increasing the so-called minority groups. My personal opinion is that the groups are here, particularly in New York City, in great numbers. Possibly, some groups have been encouraged toward greater activities while other groups have retarded their activities and seem willing to let this Commission carry out its mandate.

I am sending you a copy of last year's Annual Report. I am sorry that I cannot give you more up-to-date information as our 1948 report is now in preparation.

Yours very truly,

(S) John R. Fox

John R. Fox
Executive Director

JRF:jf

STATE OF CONNECTICUT
INTERRACIAL COMMISSION
STATE OFFICE BUILDING
HARTFORD

January 25, 1949

Mr. Clifford E. Rucker
Informational Representative
The Governor's Interracial Commission
117 University Avenue
St. Paul 1, Minnesota

Dear Mr. Rucker:

In reply to your letter of January 21, Connecticut has had no court cases occasioned by the F.E.P. law, nor has any hearing been held under the provisions of this Act. The latter is also true of the other states in the East which have Fair Employment Practices Acts.

To the best of our knowledge the population of minority groups in this state has not been affected because of the passage of the F.E.P. ACT.

We are mailing you, under separate cover, a copy of our annual report to the Governor which contains a summary of the first year's activities under the F.E.P. Act, as well as a copy of the law and two explanatory brochures concerning it.

If you have any more specific requests for information, we will be glad to answer the same and wish you every success in your endeavor to obtain F.E. P. legislation in Minnesota.

Yours very truly,

(S) Thomas F. Henry

Thomas F. Henry, Supervisor
Fair Employment Division

TFH:mw

STATE OF NEW JERSEY
Department of Education

1060 Broad Street
Newark 2

Division against
Discrimination

January 31, 1949

Mr. Clifford E. Rucker
Informational Representative
Governor's Interracial Commission
117 University Avenue
Saint Paul 1, Minnesota

My dear Mr. Rucker:

In reply to yours of the 31st, I wish to say that after more than three and one-half years of operation, we have not as yet been required to take any case before the court or even before our own Commissioner in Public Hearing. We find that a great majority of employers and employees want and intend to be law-abiding. Others, who may be indifferent to the letter of the law, dread exposure through wide-spread publicity as law-breakers. These two factors have made it possible to achieve change without recourse to legal action. I do believe however that if we did not have the law and penalties, we could not obtain these results.

As to your second question, there is absolutely no evidence or suggestion that the existence of our Anti Discrimination Law has in any way altered or accelerated the normal flow of intersectional migration that has been going on since 1910 and before. The "push" factors in intersectional migration, such as the share-crop system, disfranchisement, poor educational facilities, and intimidation, are the things that are causing racial, intersectional movement. The presence or absence of Civil Rights Laws will have little to do with the shaping of that movement.

Under separate cover, I am mailing to you two copies of our last annual report and a copy of a brief that was presented for the Congressional Committee that last year was considering fair employment legislation. I hope these will be helpful. With warm personal regards, I am

Sincerely yours,

s/ Harold A. Lett
ap
Harold A. Lett
Chief Assistant

HAL ap

M E M O R A N D U M

TO: WHOM IT MAY CONCERN

FROM: MINNESOTA COUNCIL FOR A PERMANENT FAIR EMPLOYMENT
PRACTICE COMMITTEE

DATE: JANUARY 25, 1949

RE: BUSINESS SUPPORT FOR FEPC

Attached hereto please find a few statements from business organizations in a number of states which have had Fair Employment Practices laws for several years.

You will also find attached a statement relative to the amount of new business which has come to at least one of these states since FEPC has become effective.

We are confident that these statements will prove of interest to you in view of the fact that the same indicate the thinking of business people in regard to this legislation.

NEW YORK

Mr. J. C. Watson, State Council of Retail Merchants, Inc.:

"When the Law was first enacted, there was a feeling that our State was attempting to legislate virtue, tolerance, etc., which was not the fact, as has been proven again and again in the administration of the Statute.

"Surely, the present law imposes no hardships on the employer. It simply applies penalties to acts of discrimination when those acts deprive an inhabitant of our State of the fundamental human right which he has; namely, the right to earn a living. There is nothing involved or intricate about the requirements of the Law. The employer is merely asked to hire or retain in employment, the best man or woman for the job."

"The Bronx Chamber of Commerce, which originally opposed enactment of the Ives-Quinn law by the New York Legislature, has now approved without a dissenting vote the following proposition recommended by its Board of Directors:

"That the organization support FEDERAL LEGISLATION similar to the New York State law having to do with DISCRIMINATION IN EMPLOYMENT. It is reasoned that in the interests of society the people of other states are entitled to the same protection as those seeking employment in this and any other state that may have anti-discrimination laws.

"In announcing the membership's approval, President George F. Mand said in a public statement:

"We believe other business organizations should embrace our reasoning that the people of every State are entitled to the same protection as New York and that it is greatly in the interest of society in general. We take the lead as a business organization in step with reasonable social reform."

Peter Grimm, former President, Chamber of Commerce of the State of New York:

"The accomplishments under the Anti-Discrimination law (FEPC), after two and a half years of trial (in New York), appears to have operated effectively, so far as I have been able to judge from talks with men in various lines of business. The administration of the law has been effective and salutary."

MASSACHUSETTS

President of the Boston Chamber of Commerce, Michael T. Kelleher:

"I'm very happy at the way the Commissioners are administering the FEPC law. They are doing a real service to the state."

Jarvis Hunt, general counsel for the Associated Industries of Massachusetts, which opposed enactment of the state bill:

"The Commission has administered the FEPC bill in a reasonable manner and without putting any undue burden on industry. They have been very cooperative in helping us solve any problems that have arisen under the law and we have tried to help them in any problems that have arisen in administration of the act."

Mr. H. D. Hodgkinson, President, Boston Retail Trade Board:

"I have confidence in the work this Commission has been carrying on since its inception in 1946. It is a great Commission doing a fine job in a very difficult field."

NEW JERSEY

J. Pickett, Employee Relations Dept., Irvington Varnish and Insulator Co.:

"We believe that the act has been an important milestone in the industrial progress of the State of New Jersey.

"The act is being carried out along educational lines and the experience of customers as well as manufacturers has been very favorable.

"On the basis of our past experience with the act, we are heartily in favor of it and know of no concerns in this area whose experience has been otherwise."

CONNECTICUT

Joseph J. Morrow, Personnel Manager, Pitney-Bowes, Inc., Stamford, Conn.:

"Where we formerly employed Negroes only in the usual menial capacities, we now began to add several machine operators, assemblers, and other skilled or semi-skilled Negroes in the plant. Since then Negro employees have been placed in Engineering, Personnel and Accounting departments where they have proved exceptionally capable and acquired the respect of their white fellow employees.

"Negroes and members of other minority groups ... have a lot to give, and all they will need is a chance to show it. They have done that at Pitney-Bowes and I hope they will soon be given a similar opportunity in all other industries."

One of the common arguments raised by business groups against FEPC legislation is that it will tend to drive business from the state. The following data are pertinent to this point.

From Governor Dewey's message to the Legislature, January 5, 1949-:

"Business activity and employment remain at unprecedented levels for times of peace. The number of business establishments has increased by 5 per cent in the last year. Only two-tenths of 1 per cent of available working time was lost in labor-management disputes -- only half as much as the national average. Last year the personal income of our people

-3-

aggregated some \$27,000,000,000 -- an all-time high."

Increase in Employment and in the Number of Business Firms
in New York State Since Passage of the "Law Against
Discrimination

Source: New York State Department of Commerce

Estimated Number of Firms in New York State
August 1945 and January 1948

Industry Division	August 1945	January 1948
Finance, insurance and real estate	57,590	63,510
Service industries	89,730	111,410
Mining	530	600
Contract construction	19,940	31,420
Manufacturing	49,540	63,460
Transportation, communication and other public utilities	25,400	30,310
Wholesale trade	21,290	28,290
Retail trade	172,230	214,000
Total	436,250	544,000

New York Post - January 28, 1948 -- News Item

State-wide employment set a peacetime record in 1947
when non-agricultural jobs reached 5,481,900 in October.

Associated Press Dispatch - September 1947 - News Item

Business firms operating in New York State have reached
an all-time high of 530,000 Governor Dewey disclosed today.

The number of businesses, the survey found, was 50,000 above
the pre-war record and more than 130,000 over the war-time
low.

Source: CONNECTICUT DEVELOPMENT COMMISSION
Research and Planning Division

Number of employees covered by the Connecticut Unemployment Compensation Act, monthly, January 1946 to September 1948, inclusive.

	1946	1947	1948
January	538,389	634,844	634,566
February	522,435	636,424	631,344
March	538,525	636,444	636,557
April	571,635	636,639	639,005
May	582,369	634,966	636,194
June	598,991	633,395	636,201
July	598,879	628,527	630,576*
August	610,658	629,769	631,056*
September	616,987	634,404	635,552*
October	629,971	639,901	
November	639,241	643,701	
December	647,451	650,389	

* Preliminary

Total wages paid employees covered by the Connecticut Unemployment Compensation Act, quarterly, first quarter 1946 to third quarter 1948, inclusive.

	1946 Dollars	1947 Dollars	1948 Dollars
First Quarter	329,622,000	426,309,000	458,372,000
Second Quarter	373,325,000	440,861,000	468,436,000
Third Quarter	395,404,000	431,588,000	469,114,000*
Fourth Quarter	442,954,000	487,044,000	

* Preliminary

January 25, 1949

Mrs. Mildred H. Mahoney
Commonwealth of Massachusetts
Fair Employment Practice Commission
41 Tremont Street
Boston, Massachusetts

Dear Mrs. Mahoney:

It has been suggested that it would be helpful to individuals and organizations interested in promoting fair employment legislation in other states, if they could have statements from businessmen who have had some experience in states where such legislation has been in effect.

I am glad to go on record for this purpose as one of those who favored the legislation creating the Fair Employment Practice Commission in this State and who has had no change of mind as a result of its workings to date. The creation of the Commission and the policies followed by it have provided an opportunity for education in employment practices not available to businessmen before the legislation. While there is no doubt considerable value to the threat of legal action if fair employment practices are not followed, I like to think that the principal value of the statute and of the constructive activities of the Commission has been in offsetting the fears so commonly expressed by employers during the committee hearings on the bill and elsewhere, the fear of legislating in an area where moral principles ought to be the guiding factor, and the fear of the effect of employing members of minority groups in positions where they had traditionally not been employed. The statute and the policies of the Commission have gone a long way to prove the truth of the famous phrase used in President Roosevelt's first inaugural, "The only thing we have to fear is fear itself."

In the business with which I am connected, a department store, the employment of negroes as salespeople, which preceded the enactment of the FEPC legislation by several years, has been a demonstration of the emptiness of such fears.

Sincerely,

F. FRANK VOREMBERG
President, Gilchrist and Company
Department Store

January 27, 1949

Mrs. Mildred H. Mahoney, Chairman
Fair Employment Practice Commission
41 Tremont Street
Boston 8, Massachusetts

Dear Mrs. Mahoney:

It is natural that other parts of the country should watch with interest the experience of those places that have had FEP legislation. There were lots of people in Massachusetts who looked on the legislation with fear before it was passed. Under the administration that your Commission has given during the two years the Act has been in operation, all such fears have been removed. So far as I know, you have never had to use the powers of compulsion contained in the Act. Conferences, educational talks, and common sense persuasion are the tools that have been used to make the Act work so successfully -- but those tools could not have produced the results they have if there had not been the knowledge on the part of every one that there was a law on the statute book which authorized compulsion if necessary.

Neither as Chairman of your Advisory Council, here in Springfield, nor as a manufacturer have I ever heard any one in the last two years say that the law ought to be changed. Every one now admits that the principles that FEP legislation is striving for are just. There are still latent prejudices in some quarters, but those who have them feel ashamed of them, rather than militantly fighting for them.

I have no reservation in saying that I think such legislation, administered as you and your Commission have administered our law, would be beneficial practically everywhere. I am not familiar enough with conditions in the deep South to be sure whether we might not have to arrive at the right, through successive stages, but in no other part of this country should there be any hesitancy in passing such legislation.

Sincerely yours,

PACKAGE MACHINERY COMPANY

By Roger L. Putnam, President

FAIR EMPLOYMENT PRACTICE COMMISSIONS PROTECT EMPLOYERS AGAINST UNFOUNDED CHARGES OF DISCRIMINATION

Experience in the administration of regulations against discrimination in employment has shown that the Commissions protect employers against unfounded charges of discrimination. The records show that, in over 20 per cent of the cases in Minneapolis and nearly 25 per cent in New York State, the result of investigation has enabled the Commission to assure the complainant that no discrimination had been practiced. The National Fair Employment Practice Committee, which was in operation during the war, dismissed approximately 64 per cent of complaints referred to it because no discrimination was found or for other reasons. The figures are as follows:

Minneapolis Fair Employment Practice Commission

Cases dismissed because no discrimination found July, 1947 to December, 1948	21.4%
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New York State Commission Against Discrimination

Cases dismissed because no discriminatory practices were disclosed July 1, 1945 to December 1, 1947	24.5%
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National Fair Employment Practice Committee

Cases dismissed for lack of merit, insufficient evidence, or other causes July 1, 1943 to December 31, 1944	64.0%
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It has been the experience of the Commissions that the persons who have brought the complaints have generally accepted the findings of the Commissions as correct and have been glad to be informed that no discrimination had been practiced. Both the complainants and the parties charged agree that it has been of great value to them to have an impartial agency investigate complaints and clear the air of suspicions and misunderstandings.

Thus, the Commissions have operated to ease tensions and to build improved relations between the members of different racial, religious, and nationality groups.

RESULTS ACHIEVED THROUGH THE WORK OF
FAIR EMPLOYMENT PRACTICE COMMISSIONS

Fair Employment Practice Commissions in New York, New Jersey, Massachusetts, and Connecticut, and in the City of Minneapolis have gradually increased the opportunities open to minority group workers and have improved the utilization by industries of their highest skills. No census and no broad survey of employment patterns has been made in any of the areas covered by fair employment practice legislation since the laws were passed. Therefore, no overall statistics are available to demonstrate the changes in employment patterns. Furthermore, even when these patterns are measured by the census, it must be recognized that many factors in addition to fair employment practice legislation will have influenced whatever changes may be revealed.

Nevertheless, there is ample evidence that the passage of the fair employment laws has been of major importance in breaking down barriers to the employment of minority group workers. Employment opportunities in retail and wholesale trade in manufacturing and in office and clerical jobs have been significantly expanded for minority workers by voluntary changes in policy by a great number of important employers, entirely apart from any specific complaints of discrimination handled by the commissions.

The most important effect of the passage of this legislation and the establishment of the commissions has been to focus the attention of the major employers in the areas covered on their employment practices in regard to the members of different racial, religious and nationality groups. The clear statement of a public policy of non-discrimination in employment, and the establishment of the commissions with enforcement powers, have proved to be powerful instruments with which to overcome the ignorance and apathy which have been the principal barriers to the employment of qualified minority workers.

The enforcement provisions are essential to achieve these results. The experience of the professional organizations working on problems of discrimination in employment has been that a significant proportion of employers and union leaders simply refuse to give serious consideration to changing discriminatory employment or membership policies in the absence of legislation with enforcement powers. However, when they do direct their attention to this problem, as a result of the passage of legislation and the work of the commissions, they become convinced that non-discrimination is sound personnel practice and sound union policy.

It has been the experience of all the commissions that the number of complaints of discrimination brought to their attention has been relatively small in relation to the number of minority workers in the

population and the amount of discrimination that was known to exist before the legislation was adopted. A number of factors combine to cause this situation. The policy of the commissions to work on cases quietly and without public hearings has prevented the effectiveness of their work from becoming generally known. Furthermore, people seeking jobs find it difficult to spare the time and effort necessary to report their problems of discrimination to a public agency. Moreover, they are often reluctant to expose themselves to the possible embarrassment and conflict which may be involved in filing and carrying through a complaint.

It must be made emphatically clear that the number of cases dealt with by the commissions is no measure of the value of this legislation or the effectiveness of the commissions' work. It is not violation but compliance with the law that is the measure of its value. There is no question that this legislation has led to major changes in employment policy by a great number of employers and unions which have never been involved in complaints of discrimination brought before the commissions.

Furthermore, the satisfactory adjustment of a single case often has a far-reaching effect on employment opportunities. For example, the first case brought before the Minneapolis Fair Employment Practice Commission was against a major Minneapolis department store. The satisfactory adjustment of this complaint initiated a series of events which ultimately led to the opening up of employment opportunities which had formerly been closed to minority workers in all the major department stores in the city and at all levels of training and skills.

The fair employment practice laws do not require an employer to hire any workers from minority racial, religious, or nationality groups. They simply prohibit excluding workers from consideration because of the factors of race, religion, national origin or ancestry. In effect, they say that these factors have nothing to do with ability to do the job and that the employer should pay no attention to them, one way or the other.

This legislation confers no special benefit or grants no special privilege to the members of minority groups. It simply puts them on the same basis as any other workers in being considered for employment on the basis of their skills. The commissions have held that any quota system is discriminatory and may work an injustice to members of either the majority or minority groups.

The kind of education that changes attitudes of prejudice is that which comes about when, on a normal, everyday basis, workers come to know the members of other racial, religious, and nationality groups who are like themselves in terms of education, training, and skill. It is this kind of education that is accomplished by fair employment practice legislation and this is the process through which good human relations will be established among all of the peoples of American and the world.

Page 10, St. Paul RECORDER, Friday, August 26, 1949

Almost About Everything

By Percy Villa

Editor's Note: While Percy Villa is taking a vacation a number of well known citizens have "pinch hit" for him in this column. This week's column is by Bradley Morison, associate editorial editor of the Minneapolis TRIBUNE. Self effacing Bradley Morison is one of the nation's top editorial writers.

Wherein Papa Explains FEPC

By Bradley Morison

Q. Papa, what does FEPC mean?



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MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICEAdditional Testimony in Support ofThe Proposed State Fair Employment Practices BillTHE POSITION OF EMPLOYERS ON THE PROPOSED FEPC BILL

You have been told that the employers of Minnesota are opposed to a State FEPC bill. That is not true. The 100 letters from employers presented to you by Mr. Otto Christenson were secured by intensive solicitation of the 1100 members of his organization. In securing these letters and in testifying before your Committees, Mr. Christenson has spoken with complete disregard for, and in absolute contradiction to, the record of actual experience with the operation of fair employment practice commissions in the City of Minneapolis and in the States of New York, New Jersey, Massachusetts and Connecticut.

It was evident that the employers who wrote those letters and who appeared to testify against the bill had had absolutely no experience with fair employment practice commissions and were completely mis-informed as to the actual record of their operations. If these employers were correctly informed as to the facts, we are confident that they would support the proposed bill.

Those employers who have studied the problem of discrimination in employment, and who have had actual experience with the operation of the commissions, are in favor of the establishment of State commissions with enforcement powers. See recommendation of Industry and Labor Committee of Minneapolis Community Self-Survey on page 12 of original testimony; also, see letters from Bradshaw Mintener, Geo. M. Jensen, Julius Barnes and others on pages 21-25; and letters from employers in New York, New Jersey, Massachusetts and Connecticut on pages 33-39 of the testimony originally presented. Additional letters from employers in Minnesota and the other four states are attached.

These employers agree that the enforcement powers are necessary in order to persuade some employers to give serious attention to the need for eliminating practices of discrimination in employment. When they have given serious study to the problem, they have invariably concluded that non-discrimination is the only sound personnel policy, and they have found the commissions to be ready and able to give them valuable assistance in establishing and maintaining such a policy.

Mr. Christenson said that employers would be harassed by adverse publicity whenever complaints were made against them. The fact is that all the commissions have followed the policy of giving no publicity whatever to cases during the process of adjustment. In not a single case under any of the five operating commissions has an employer suffered adverse publicity.

Mr. Christenson said employers would be harassed by being called upon to defend themselves in public hearings. All the FEPC laws provide for a public hearing stage, corresponding to the Board of Review stage in the proposed Minnesota bill. However, so far, not a single case has been scheduled for public hearing, but all have been settled by negotiation by the commissions before this stage has been reached.

Mr. Christenson said that employers would be harassed by frequent court action to enforce the law. A court procedure is provided in all the FEPC laws, if the conciliation efforts of the commission fail. However, not a single case has been taken to court so far, but all have been settled by negotiation.

All of the comments made by Mr. Christenson on the operations of the existing commissions were taken from a speech which he quoted from James Lobatelli of New York. Mr. Lobatelli is not an employer, but is a private industrial relations consultant. The speech which Mr. Christenson quoted was made in 1947. At that time, Mr. Lobatelli was trying to make a living by selling his services to employers by convincing them that they needed to hire him to protect them against persecution by the New York State Commission. For comments on the operation of the Commission by responsible business leaders in New York, see page 34 of the testimony originally presented. Also, see the attached statement by Henry Luce of Time, Life and Fortune; Beardsley Ruml, Chairman of the Board of R. H. Macy Co; Dwight R. G. Palmer, President of General Cable Corporation, and others.

Mr. Christenson implied that the individuals on the Board of Directors and in the membership of the Minnesota Employers Association who oppose the bill are officially representing the business concerns with which they are associated. This is not true. We know of no business concern in Minnesota whose board of directors has voted to oppose the Fair Employment Practices bill. The members of the Employers Association who oppose the bill are speaking for themselves as individuals. Many other individuals, some of whom occupy positions of equal responsibility in the same concerns, and who have made a study of the problem, are in favor of the proposed bill. See page 12 and pages 21-25 in the original testimony, and additional statements attached.

Mr. W. A. Lindfors testified against the bill as a representative of the Minnesota Employment Agencies Association. See attached letters indicating that he was not authorized to speak for the Association, but was speaking for himself as an individual. Responsible heads of employment agencies who have made a study of the problem, are in favor of the bill. Incidentally, none of the points made by Mr. Lindfors in his testimony were valid. The bill specifically provides that an employment agency may take into account race, religion, national origin or ancestry whenever any of these factors actually constitutes a bona fide occupational qualification for the particular job in question.

Mr. Christenson implied that FEPC legislation is not needed because some members of minority groups have risen to positions of business leadership in the United States. In support of this argument, he submitted an article by a Negro business leader, Mr. Charles C. Spaulding, originally published in the American Magazine in December, 1948, and condensed in the Reader's Digest. See attached wire from Mr. Spaulding supporting FEPC legislation and stating that it would "raise democracy to a status of greater respectability".

JAMES LECK CONSTRUCTION CO.

211 South 11 Street

Minneapolis 2, Minnesota

February 14, 1949

Senator Gerald Mullin
State Capitol Bldg.
St. Paul, Minnesota

Dear Senator Mullin:

As a Minnesota employer and as a patriotic American citizen, I endorse the Fair Employment Practice bill which you have introduced to this session of our State Legislature.

Action not lip service is needed if equality of opportunity is no longer to be denied some of our citizens solely because of their color or religion. Your bill presents to our senators and representatives their chance to be American leaders. By favorable legislative action they can help to strengthen our nation and correct existing abuses. .

I have carefully read and considered your bill. I have confidence that it will be sanely administered, thereby helping to correct present abuses and thereby buttressing our Republican form of government. I, therefore, hope that you and your co-authors in both Houses of the Legislature will aggressively continue to work for the enactment of your bill.

Sincerely yours,

(Signed)

Stuart W. Leck
President

ELECTRIC MACHINERY MFG. COMPANY

Minneapolis 13, Minnesota

February 17, 1949

Senator Gerald Mullin
Minnesota State Capitol
St. Paul, Minnesota

Dear Senator Mullin:

I should like to express endorsement of the bill that you are sponsoring to create a State Commission against discrimination in employment.

While I have long been whole-heartedly for these objectives, I have had some misgivings in the past as to possible abuses in administration of such a law. However, the administration of the City of Minneapolis Ordinance has worked exceedingly well because of the restraint and good judgment applied by the Commission. Under the provisions of your bill, it seems likely that equally intelligent administration will result.

Certainly such legislation will more rapidly advance the elimination of the handicapping of employment opportunities due to prejudice. And the attainment of that objective warrants some risk.

Also, for some time I have been wanting to express to you my appreciation of the most important support that you gave to the appropriation request of the Regents of the University of Minnesota two years ago. I hope you will be equally successful this time in providing for the essentials to continue the quite outstanding job the University is doing both in education and research.

Cordially yours,

(Signed)

W. H. Feldmann
President

C O N G R E S S I O N A L R E C O R D

Proceedings and Debates of the 80th Congress, Second Session

PROPOSED FEPC LEGISLATION---PETITION

(Printed in the Congressional Record of February 23, 1948)

The PRESIDENT pro tempore. The Chair lays before the Senate a telegram signed by several citizens, presidents, chairmen, and general managers of sundry industrial organizations, New York City, N. Y., relating to FEPC legislation. Without objection the telegram will be appropriately referred and printed in the RECORD, with the signatures attached.

There being no objection, the telegram was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, with the signatures attached, as follows:

NEW YORK, February 15, 1948.

HON. ARTHUR H. VANDENBERG,
President pro tempore,
United States Senate,
Washington, D. C.:

The undersigned American citizens believe that passage at this session of the Congress of a national act against discrimination in employment is important to the welfare of the country. We note with satisfaction that the Ives-Fulton bill has been favorably reported out by the Senate Committee on Labor and Education and we ask you, and through you your colleagues, to use your fullest influence to expedite its passage by both Houses of Congress.

The great majority of employers in the United States, together with their fellow Americans, believe in the principle of non-discrimination in employment. They know that such discrimination is uneconomic, in that it results in an unsound use of manpower and retards the development of purchasing power. They know it is undemocratic and un-American, being contrary to the principles upon which our Government was founded and upon which it endures. They know, finally, that it weakens the position of the United States in the eyes of the world and in the war of ideas between freedom and totalitarianism.

In our judgment the Ives-Fulton bill, if enacted into law, will substantially advance the cause of nondiscrimination in employment. It will strengthen the hands of those who believe in its purposes and it will tend to bring into compliance those few who do not. Our judgment in this respect is based in part upon the successful working of very similar laws in New York, New Jersey, Massachusetts, and other States. We like the reliance which the bill puts upon education and conciliation. On the other hand, we recognize the necessity of governmental sanctions when conciliation breaks down.

We do not believe that passage of this bill will eliminate prejudice from America. But it will be an effective step along the road. For this reason, we have formed ourselves into a committee to advocate its adoption. We hope you will do all in your power to help toward this objective.

William L. Batt, President, S. K. F. Industries
Allen W. Dulles, Sullivan & Cromwell
Paul G. Hoffman, President, Studebaker Corporation
Eric Johnston, President, Motion Picture Association
Henry R. Luce, Time, Inc.
Dwight R. G. Palmer, President, General Cable Corporation
Martin Quigley, President, Quigley Publishing Co.
Nelson A. Rockefeller
Anna M. Rosenberg
Beardsley Ruml, Chairman of Board, R. H. Macy & Co.
Spyros P. Skouras, President, Twentieth Century Fox Film Corp.
Paul C. Smith, General Manager, San Francisco Chronicle
Herbert Bayard Swope
Charles H. Tuttle, Breed, Abbott & Morgan
Oren Root, Jr., Chairman

HAT CORPORATION OF AMERICA

South Norwalk, Connecticut

January 31, 1949

Mr. Frank L. Simpson
Executive Secretary
State Inter-Racial Commission
State Office Building
Hartford, Connecticut

Dear Mr. Simpson:

Since the enactment of the Fair Employment Practice Act for the State of Connecticut, I have found that this Law has in no way interfered with our employment practices.

Upon its passage, local personnel groups here in Norwalk obtained a speaker from the State Inter-Racial Commission so that we would all be cognizant of the Law and how it was to be interpreted.

I think that many firms thought that it would interfere with the operation of its policy covering hiring and promotions but we received such a clear interpretation of the act that we saw nothing in it that would present any difficulties.

This Act created no problems but on the other hand has assisted in equalizing employment opportunities for all.

I think that the Fair Employment Practice Law has helped both Union and Management as it has clear cut definitions that cannot be misinterpreted.

Very truly yours,

(Signed)

W. P. Morin
Personnel Director

WPM/jmm

PITNEY-BOWES, INC.

Stamford, Connecticut

January 28, 1949

Mr. Thomas F. Henry, Supervisor
Fair Employment Division
State of Conn. Inter-racial Commission
State Office Building
Hartford, Connecticut

Dear Mr. Henry:

I am very happy to reply to your letter of January 26 in which you ask for a statement of our opinion with reference to the Fair Employment Practice controls operating in Connecticut.

We started our Negro integration program at Pitney-Bowes before the enactment of the Connecticut Fair Employment Practices Act. Many of the problems which we encountered, however, would have been much less difficult had we had the support of such legislation and the expert assistance of the Inter-racial Commission's personnel.

One of the most valuable services of the many being rendered by the Commission, in my opinion, is the educational campaign which it conducts. In the long run, it is this campaign which will bring the greatest and most lasting results; but I am afraid that, by itself, and without the backing of legislation, the educational work would be impotent.

Mr. Hesch's letter requested statements from speeches, etc., which you might quote. The following is taken from a talk I gave before the Annual Convention of the National Urban League in Richmond, Virginia, on September 7, 1948. The title of the talk was "The Negro's Stake in the Future of American Industry".

"Inclusion of the Civil Rights issue as a part of our two major political party platforms has been a recent dramatic illustration (of the progress made in removing the inconsistency between our democratic principles and the discrimination practiced against Negroes and other minority groups in the United States). Less sensational, but just as significant, has been the adoption of anti-discrimination laws by a number of states, and the contemplated adoption of such legislation in still other states.

"Beside being the initial step in guaranteeing fair employment opportunities for Negroes, the enactment of these laws within our representative

January 28, 1949

State governments is in itself an indication of public readiness to accept the laws. My home State of Connecticut, small in size but mighty in industrial importance, adopted its own Fair Employment Practice Act in May, 1947, and it is functioning very successfully.

"There are of course a number of well-meaning people who oppose legislation to abolish discrimination in employment, most of them through the feeling that legislation is not the real answer to a problem which can best be solved by education. Naturally, legislation cannot itself destroy race prejudice, but it can and should be the framework upon which the building of free economic opportunity for Negroes can be started. The educational side of the picture is the ultimate answer, but - as all of you must know very well from experience - the process is a slow and often painful one which needs the assurance of support that only legislation can give it. The purpose of such laws, and all laws, for that matter, is to protect rather than to punish. With proper administration, and with cooperation from industry, I think these laws are a very important step in the right direction. If they did nothing else, they would at least be helpful to those employers who would prefer to treat the Negro fairly, but who would lack the courage to do so without the excuse which the laws furnish."

Sincerely yours,

(Signed)

J. J. Morrow
Personnel Manager

JJM:ED

THE ALLEN MANUFACTURING COMPANY

Drawer 570 - Hartford 1 - Connecticut

January 13, 1949

Mr. Frank T. Simpson
Executive Secretary
State Inter-Racial Commission
State Office Building
Hartford, Connecticut

Dear Mr. Simpson:

As far as I have had knowledge of and contact with it, I have been much impressed with the operation of the State Inter-Racial Commission under the Fair Employment Practices Act.

Since the 18 months that the Act has been in effect, I believe the Commission has accomplished more in the way of equalizing employment opportunities for all groups and in promoting understanding between different groups than any other agency, public or private, serving this area of human relations.

Perhaps even more significant than the actual results has been the Commission's approach to a critical social problem charged with controversy and ignorance. It has proceeded quietly and effectively, keeping its big stick in the closet, and stressing voluntary compliance. It has forcefully applied the techniques of education, relying on the natural common sense of Connecticut citizens, whether they be employers or workers. Its personnel has been carefully chosen and trained to reflect this democratic spirit of administration.

It is obvious that the biggest obstacle in securing fair employment practices throughout the state is getting minority workers past the employment office door. Once this is done, on the basis of proper qualifications for the particular job openings, it is up to these workers to make their own place on the work team. In our employment experience we have found that, given adequate ability and a friendly, willing personality, minority workers have no trouble in being fully accepted by their co-workers and in earning promotions to higher-paying jobs.

Yours sincerely,

(Signed)

Ellsworth S. Grant
Vice-President of
Industrial Relations

ESG:L

BOSTON RETAIL TRADE BOARD

426 Washington Street

Boston

January 28, 1949

Robert E. Segal, Executive Director
Jewish Community Council
44 School Street
Boston 8, Massachusetts

Dear Mr. Segal:

As a business man I am in favor of the Fair Employment Practices Act insofar as the act in its administration in Massachusetts is concerned.

It is my opinion that under the legislation our State Commission is proceeding soundly toward the cooperation of all kinds of business, such action being largely educational rather than punitive.

Great difficulty and trouble was predicted during the discussions prior to the passage of the Massachusetts Fair Employment Practice Act and those fears have not materialized. Out of 500 complaints on discrimination during the past two years all but 31 have either been withdrawn or settled to the satisfaction of both parties, and the 31 mentioned are now pending and in the process of adjustment. This sounds like real progress to me.

Sincerely,

/s/H. D. Hodgkinson
President

HDH*C

BUSINESS GOES ON RECORD

Throughout the country, men with the interests of business at heart have joined in urging Fair Employment Practices. Here is what some of them say:

ERIC JOHNSTON, former president of the U. S. Chamber of Commerce and president of the Motion Picture Association of America: "The withholding of jobs and business opportunities from some people does not make more jobs and opportunities for others. Such policy merely tends to drag down the whole economic level. You can't sell an electric refrigerator to a family that can't afford electricity. . . Intolerance is poor economy. Prejudice doesn't pay. Discrimination is destructive."

LEO M. CHERNIE, president of the Research Institute of America: "When an employer is limited in his choice of qualified employees to certain racial or religious groups, he cannot always choose the most skilled man for the job. Every time he must hire the poorer man, productivity suffers and costs of production are increased. . . When discrimination exists and jobs are denied because of race, color or religion, the minority group affected is forced to a relatively lower economic level. We all know the high cost of city slums, in child mortality, in disease and crime and in delinquent taxes."

CHARLES LUCKMAN, president of Lever Brothers: "It is my firm conviction that free enterprise is doomed in a country where civil liberties are ignored or forgot. . . Democracy is good for business. In the perfect democratic state every citizen is able to maintain a high standard of living; every citizen, in short, is a customer eager and able to buy not only the basic necessities but the luxury products produced by industry."

GEORGE FRIEDLAND, president of Food Fair Stores, Philadelphia, Pa.: "As a Philadelphia employer, as one who employs persons of many races and religions, I endorse the principles of fair employment practices legislation. Equality of opportunity is good economic sense."

R. T. BARKER, superintendent of Personnel Administration, Western Electric Co., Inc., New York: "It is my own opinion that the administration of the Fair Employment Practice law in the States of New York and New Jersey has been fair and reasonable and has not entailed any undue hardship on employers who are trying to do a conscientious job in their employee relations situations. We have not experienced any difficulty in meeting the requirements of these laws and so far as I know, they have been accepted generally by our employees."

MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICE

616 New York Life Building

Minneapolis 2, Minnesota

February 23, 1949

Mr. George Richter, President
Minnesota Employment Agencies Association
Richter Personnel Service
E-1126 First National Bank Building
St. Paul 1, Minnesota

Dear Mr. Richter:

In his testimony before the Labor Committees of the Minnesota State Senate and House of Representatives, Mr. W. A. Lindfors testified against the proposed State Fair Employment Practices bill. In so doing, he stated that he represented the Minnesota Employment Agencies Association.

I am informed by a number of members of that Association, who attended the last meeting that the organization held prior to the Senate Committee hearings, that the organization definitely did not take an official position against the proposed State FEPC bill. I understand, in fact, that the subject was discussed and that it was decided that the organization should not take any official position on this proposal.

In view of the fact that the record now shows Mr. Lindfors' testimony to be an official statement by the organization, I believe that a letter from you to the chairman of each of these committees is necessary in order to clear up this question, one way or the other. I shall appreciate it if you will also send a copy of such letters to me.

Sincerely yours,

(Signed)
John G. Simmons
Chairman

1949

FINAL REPORT # 1

F. E. P. C.

LEGISLATIVE RESEARCH AND INFORMATION BUREAU
113 University Avenue, St. Paul, Minnesota

Telephone: GARfield 4753

2/8/49

Comparison of the Two Bills

There are two versions of an FEPC law before the Minnesota Legislature at present: the "Governor's bill" (HF 148) and the Goodin, Shipka, Silvola, Letnes, Rutter bill (HF 198). Companion bills in the Senate are (SF 82) the Governor's bill, and (SF 204) authored by Senator Homer Carr corresponding to HF 198.

The two versions differ in few but important respects. These difference are set forth in the following paragraphs, after which statistical material relating to FEPC and discrimination problems in other states and cities is presented. Lastly, a legal analysis of the language of HF 198 is appended for your consideration.

1) SECTION 1., SUBDIV. 7. -- (Employers affected by the law)

HF 148 -- only those employing 20 or more persons

HF 198 -- those employing 6 or more persons

This is an important difference since there is good reason to believe that discrimination is practiced as much or more by employers of small numbers as by employers of larger numbers of people.

2) SECTION 3., SUBDIV. 1. -- (Definition of Commission Quorum)

HF 148 -- 7 members shall constitute a quorum

HF 198 -- 3 members shall constitute a quorum

If the Commission is to consist of 15 members and if a fair proportion of this membership is from areas where employment is numerically higher a quorum of 3 members is too small. A quorum of 7, however, should be the maximum requirement if the Commission is to be able to meet with any regularity or accomplish any real work over a period of time.

3) SECTION 4., SUBDIV. 6. -- (Advisory Committee expenses)

HF 148 -- no provisions to pay traveling expenses

HF 198 -- provides for "reimbursement for actual and necessary traveling expenses".

Since the members of these committees (committee) will be asked to serve without pay, and be asked to travel in the course of their investigations, it is mere courtesy to pay travel expenses for them. They will be private citizens whose voluntary service on such committee (s) will provide thoroly democratic administration of the law. Many could not serve if they had to pay travel expenses during investigations in various parts of the state.

4) SECTION 5., SUBDIV. 5 -- (Prohibitions on employer & employment agencies relating to use of discriminatory methods)

HF 148 -- Prohibits an employment agency from discriminating in "listing, classifying, referring or otherwise against any individual because of race, religion, color, or national origin unless based upon a bona fide occupational qualification."

HF 198 -- Prohibits "any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement, or publication, or to use any form of application for employment, which expresses directly or indirectly, any limitation, specification or discrimination as to race, creed, color or national origin, or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification."

The important difference here is in language. HF 198 is less vague and general on this point. Thus there is much less chance for legal interpretation and administrative quibbling. Employers are also given the opportunity, by HF 198 provisions, to gain a clearer definition of what is expected of them.

5) SECTION 7 -- (Subpoena powers)

HF 148 -- Subpoena powers are given to only the board of review

HF 198 -- Subpoena powers are given to both the board of review and the Commission

The main question here is one of time involved in the disposition of any one case. The Commission undoubtedly could hasten final decision on some cases if it had subpoena powers. On the other hand its work load would be greatly increased if it were to sit as an enforcement authority in addition to its functions as a conciliatory and administrative body.

6) SECTION 7., SUBDIV 5. -- (District Court's acceptance of new evidence)

HF 148 -- may accept new evidence

HF 198 -- may not accept new evidence

Providing provisions allowing the Court to remand the entire case to the Board of Review for further review remain in the law it will be best if new evidence not be accepted by the Court. If remand is possible new evidence can be introduced before the Board. Under HF 148 delay and excessive legal costs are likely.

EXPERIENCE FIGURES AND STATISTICS

Following are figures concerning fair employment activities in the states and cities named. These figures are for your information regarding the need for FEPC laws, and their results. It should be kept in mind, however, that the item of greatest single importance in this question is compliance (voluntary as well as recorded court cases) with the law concerned. The following figures deal with the opposite side of the picture: that is, cases where voluntary compliance was lacking. Few records of voluntary compliance are yet available.

Not included in the following are figures relating to the amount of new business which has come to the State of New York since its FEPC law went into effect. These figures will be found in a memorandum from the Minnesota Council for a Permanent Fair Employment Practices Committee issued January 25, 1949, which was sent all members of the Minnesota Legislature.

State of Connecticut

The following figures are from the "Report of Activities of the Connecticut Inter-Racial Commission" to the Governor, dated Sept. 5, 1947.

Since July 1, 1946, the Commission has received 47 complaints of discrimination. These complaints, typical of those received in other areas, were received by the Commission before passage of the FEPC law, May 14, 1947. No later figures are available. These figures, however, relate closely to FEPC case histories.

<u>Area of Complaint</u>	<u>Received</u>	<u>Adjusted</u>	<u>Dismissed</u>	<u>Not Adjusted</u>	<u>Pending</u>
Employment	8	4	1	1	2
Housing	4	0	0	1	3
Educational Opportunities	4	1	1	0	2
Advertising and news- paper reporting	4	1	1	0	2
Public accommodations	17	7	5	3	2
General friction	4	1	1	1	1
Misc.	6	1	1	1	3
TOTALS	47	15	10	7	15

Dispositions:

Adjusted--Satisfactorily adjusted through efforts of the Commission

Dismissed--Could not be substantiated by the complainant

Not Adjusted--Could not be adjusted because of the attitude of one
or the other of the parties

Pending--Still under investigation by the Commission

State of New York

The following figures are from the "Annual Report of the State Commission Against Discrimination" to the Governor, covering the year 1947.

"During the year 1947 a total of 376 verified complaints were filed with the Commission. As heretofore stated, 1005 verified complaints have been filed since its establishment. Of these 68% claimed discrimination because they were Negro, 15% because they were Jewish. Two persons charged discrimination because they were white and 17 because of their creed as follows: Protestant 8, Catholic 4, Seventh Day Adventist 1, non-Jewish 2, non-Catholic 1, not stated 1.

"Charges of discrimination because of national origin comprised 7% of the complaints. These covered a wide range of nationalities, including Italian, German, Russian, Puerto Rican, Japanese, Austrian, Czech, Bulgarian, French, Irish, East Indian, Swedish, British, and American.

"During the calendar year 1947 a total of 221 cases were reviewed. These reviews disclosed that:

- a. New occupational and industrial areas were being opened to groups previously barred.
- b. Anticipated employee resistance to the introduction and integration of minority-group workers did not take place; such contentions as employees refusal to use common facilities with Negroes, or to work in close proximity to Negroes, were demonstrably invalid.
- c. Employers, unions and employment agencies, having experienced success in their first efforts at integrating all groups, were expanding their policies on a completely voluntary basis.
- d. Employers, labor unions and employment agencies welcomed the continuing interest of the Commission and looked upon this review procedure as a service, not as a method of of surveillance.

"Informal Investigations. Since July 1, 1945 the Commission has initiated 286 investigations on the basis of informal complaints about conditions surrounding employment. Of these investigations 62% were based on alleged racial discrimination, 29% on alleged religious discrimination, 8% on alleged national origin discrimination, and 1% suggested no specific type of discrimination.

"Of the informal investigations 4% were of unions, 9% of employment agencies, 2% of government agencies and institutions, and 85% were of employers.

"Of the informal investigations closed by the Commission, 62% revealed illegal discriminatory policies which were adjusted by Conference and conciliation. Discriminatory policies were found in 33% of the union cases, 84%

of the employment agency cases, and 60% of the employer cases.

Tables 6,7, and 8 (following) present cumulative data on the informal investigations which have been instituted since the inception of the Commission program July 1, 1945.

"Dissemination of information concerning the Law and the policies of the Commission has been accomplished through these informal investigations, thereby strengthening the employment structure. In cooperation with the Massachusetts, New Jersey and Connecticut Commissions, investigations have been undertaken of organizations whose operations are carried on in several states. This interstate collaboration in matters of common interest has been productive of good results in the cases of large industries and unions.

"Misc. Complaints. The Commission has enforcement jurisdiction only in the field of employment. Complaints concerning discrimination based on race, creed, color or national origin in the use of public accommodations come within the purview of the Attorney General's office; complaints pertaining to discrimination in the establishment of insurance rates are handled by the Insurance Department. A considerable number of such complaints have come to the Commission offices throughout the State.

"In the handling of these complaints, the following method is employed:

- a. The Commission, after examining the complainant and determining the proper enforcement agency, directs the complainant to that agency.
- b. The Commission sends a detailed report of the complaint to the proper agency for appropriate action, at the same time requesting that the final outcome of the case be reported to the Commission.
- c. Certain problems concerning intergroup relations are referred to unofficial agencies.

"Coordination of effort between State agencies in the area of civil rights laws is specifically provided for in article 129 of the Law. Such collaborative efforts between State departments has increased the effectiveness of the Commission's educational efforts. In every instance where the Commission has sought the cooperation of other departments of the State government the response has been prompt and satisfactory."

Table 1 (see following page)

Definition of terms used: (COMPLAINTS) 1. Lack of Jurisdiction: Those cases over which the Commission by statutory limitation is without enforcement jurisdiction. 2. Withdrawn: Those cases in which the complainant has withdrawn his charges with the permission of the Commission. 3. On Merits - After Investigation: those cases in which no discriminatory practices were disclosed. 4. On Merits - After Investigation, Conf. & Conciliation: Those cases wherein it was established that no discrimination had been practiced against the complainant (continued below table next page)

Table 1 Recap of Complaints and Investigations under Sec. 131 (7/1/45 thru 12/1/47)

COMPLAINTS	Totl	Total No. of Complainants				Respondents				Where Filed					
		Creed	Color	Nat.	Or.	Other	Emp'r.	Emp.	Ag.	Union	Other	NY.	Alb.	B'flo.	Syr.
Active File	289	30	254	3	2		204	7	67	11		280	1	1	7
Closed File:															
Lack of															
Jurisdic'n	91	23	32	5	31		68	0	7	16		81	1	7	2
Withdrawn	21	3	11	4	3		19	0	2	0		19	2	0	0
On Merits															
after Inves.	245	41	165	27	2		198	10	25	12		193	26	25	1
On M. after															
Inves., C&C.	176	49	108	19	0		157	11	3	5		152	9	10	5
Adjusted by															
Conf. & Concl	183	26	117	3	37		162	15	2	4		137	11	27	8
Total															
Complaints	1005	172	687	71	75		808	43	106	48		862	50	70	23
INV. BY	Total	Initial Cause				Group Investigated				Location					
COMMITTEE	Inv.														
Active File	49	13	36	0	0		33	8	5	3		49	0	0	0
Closed File:															
No Unlaw.															
Emp. Prac.	90	16	65	7	2		83	3	4	0		83	2	3	2
Adj. by C&C	147	53	78	15	1		127	16	2	2		138	5	3	1
Total															
Investig's	286	82	179	22	3		243	27	11	5		270	7	6	3
Total Comp's															
& Inves.	1291	254	866	93	78		1051	70	117	53		1132	57	76	26
		Total: 1291					Total: 1291					Total: 1291			

(continued from preceding page) but that a discriminatory employment policy had been discovered and changed as a result of the efforts of the Commission. 5. Adjusted by Conference and Conciliation: Those cases in which after investigation probable cause was found to credit the allegations of the complaint and unlawful employment practice has been eliminated. (INVESTIGATIONS INITIATED BY COMMISSION) 1. No Unlawful Employment Practice: Those cases wherein investigation has failed to disclose any unlawful employment practice. 2. Closed After Investigation, Conference and Conciliation: Those cases in which after investigation a discriminatory employment policy has been found to exist and which has been changed as a result of the efforts of the Commission.

Table 2

Different Respondents and Cases Against Them by Industry
and Type of Discrimination Charged
July 1, 1945 - December 31, 1947

Industry	No. of Different Respondents	Type of Discrimination Charged					
		Total	Race	Creed	Nat'l. Origin	Illegal Inquiries	Other
Total	592	1005	687	172	71	40	35
Labor Union	33	106	89	7	5	-	5
Employment Agency	33	43	23	12	3	5	-
Govt. Agency or Institution	31	48	31	10	1	-	6
Employers - Total	495	808	544	143	62	35	24
Banks	6	6	5	-	-	-	1
Builders	6	14	11	2	1	-	-
Hospitals	12	14	8	4	-	1	1
Hotels	21	25	19	4	2	-	-
Insurance	12	17	7	4	3	2	1
Manufacturers	177	250	135	50	45	12	8
Railroads	8	55	51	2	-	-	2
Realtors	19	19	15	4	-	-	-
Restaurants	24	29	21	4	1	-	3
Retail Distributors	45	65	53	8	1	2	1
Schools	5	6	2	1	-	2	1
Steamships	9	16	15	1	-	-	-
Utilities	3	44	44	-	-	-	-
Other	148	248	158	59	9	16	6

687 or 68% of the total cases were based on race discrimination, 172 or 17% on creed and 71 or 7% on national origin. 84% of the cases against unions were based on race discrimination, 7% on creed. On the other hand, only 53% of the cases against employment agencies were based on race discrimination and 28% were on creed.

Table 3

Cases by Industry and Closing
July 1, 1945 - December 31, 1947

Industry	Total	Closing*					Open 12/31/47
		1	2	3	4	5	
Total	1005	91	21	245	176	183	289
Labor Union	106	7	2	25	3	2	67
Employment Agency	43	-	-	10	11	15	7
Govt. Agency or Institution	48	16	-	12	5	4	11
Employers - Total	808	68	19	198	157	162	204
Banks	6	-	1	-	4	1	-
Builders	14	-	-	3	2	-	9
Hospitals	14	5	-	4	2	2	1
Hotels	25	3	1	7	4	9	1
Insurance	17	3	1	3	4	5	1
Manufacturers	250	16	5	75	66	61	27
Railroads	55	2	-	3	2	7	41
Realtors	19	4	-	3	4	4	4
Restaurants	29	5	1	2	5	12	4
Retail Distributors	65	2	2	12	22	18	9
Schools	6	2	-	1	1	2	-
Steamships	16	4	-	1	6	-	5
Utilities	44	-	-	39	-	3	2
Other	248	22	8	45	35	38	100

- * 1. Lack of jurisdiction
 2. Withdrawn
 3. On merits after investigation
 4. On merits after investigation, conference
 and conciliation
 5. Adjusted by conference and conciliation

Table 4

Cases by Type of Discrimination Charged and Closing
July 1, 1945 - December 31, 1947

Charge	Total	Closing*					Open 12/31/47
		1	2	3	4	5	
Total	1005	91	21	245	176	183	289
Race	687	32	11	165	108	117	254
Creed	172	23	3	41	49	26	30
Nat'l Origin	71	5	4	37	19	3	3
Illegal Inquiries	40	2	-	1	-	36	1
Other	35	29	3	1	-	1	1

- * 1. Lack of jurisdiction 4. On merits after investigation
 2. Withdrawn conference and conciliation
 3. On merits after investigation 5. Adjusted by conference and
 conciliation.

Table 5

Cases by Charge of Discriminatory Act and Closing
July 1, 1945 - December 31, 1947

	Total	Closing*					Open 12/31/47
		1	2	3	4	5	
Total	1005	91	21	245	176	183	289
Application for Employment							
Denied	445	20	6	124	84	110	101
Dismissal from Employment	210	31	6	69	63	8	33
Conditions of Employment	148	14	7	17	16	14	80
Union Membership Withheld	38	6	2	15	2	2	11
Conditions of Union							
Membership	67	1	-	9	1	-	56
Employment Agency Referral							
Denied	35	-	-	9	10	10	6
Illegal Inquiries	40	2	-	1	-	36	1
Other	22	17	-	1	-	3	1

- *1. Lack of jurisdiction 4. On merits after investigation
 2. Withdrawn conference & conciliation
 3. On merits after investigation 5. Adjusted by conference and
 conciliation

Table 6

Investigations Initiated by Commission by Industry and Type
of Discrimination Suggested July 1, 1945 - December 31, 1947

Industry	Type of Discrimination Suggested				
	Total	Race	Creed	Nat'l Origin	Undeter- mined
Total	286	179	82	22	3
Labor Union	11	9	1	1	-
Employment Agency	27	10	11	5	1
Govt. Agency or Institution	5	4	-	1	-
Employers - Total	243	156	70	15	2
Banks	4	1	2	1	-
Builders	2	-	2	-	-
Hospitals	11	7	4	-	-
Hotels	10	9	1	-	-
Insurance	4	1	3	-	-
Manufacturers	69	47	16	5	1
Railroads	5	5	-	-	-
Realtors	7	6	1	-	-
Restaurants	22	20	1	-	1
Retail Distributors	9	7	2	-	-
Schools	7	4	1	2	-
Steamships	-	-	-	-	-
Utilities	4	2	2	-	-
Other	89	47	35	7	-

286 investigations have been initiated by the Commission on the basis of informal complaints or information received. 179 or 62% were based on suggested racial discrimination, 82 or 29% were based on creed and 22 or 8 % were based on national origin.

243 or 85% of the investigations were of private business employers, 27 or 9% of employment agencies, 11 or 4% of labor unions, and 5 or 2% of government agencies or institutions.

Table 7

Investigations Initiated by Commission by Industry and Closing
 July 1, 1945 - December 31, 1947

Industry	Closing			
	Total	No Unlawful Employment Practice	Closed after Investigation Conference & Conciliation	Open 12/31/47
Total	286	90	147	49
Labor Union	11	4	2	5
Employment Agency	27	3	16	8
Govt. Agency or Institution	5	-	2	3
Employers - Total	243	83	127	33
Banks	4	-	4	-
Builders	2	-	2	-
Hospitals	11	6	3	2
Hotels	10	3	6	1
Insurance	4	2	2	-
Manufacturers	69	10	47	12
Railroads	5	-	-	5
Realtors	7	3	3	1
Restaurants	22	15	4	3
Retail Distributors	9	4	4	1
Schools	7	6	1	-
Steamships	-	-	-	-
Utilities	4	-	2	2
Other	89	34	49	6

Table 8

Investigations Initiated by Commission by Type
of Discrimination Suggested and Closing
July 1, 1945 - December 31, 1947

Closing	Total	Type of Discrimination Suggested			
		Race	Creed	Nat'l Origin	Undeter- mined
Total	236	179	82	22	3
No Unlawful Employment Practice	90	65	16	7	2
Closed after Investigation,	147	78	53	15	1
Conference & Conciliation	49	36	13	-	-
Open 12/31/47					

In 147 or 62% of all the closed investigations a discriminatory policy was found and adjusted. This was true in 55% of the closed investigations for which racial discrimination was the basis and in 77% of the closed investigations for which creed discrimination was the basis.

City of Philadelphia

The following figures were presented to the Committee on Law and Municipal and County Government of the Philadelphia City Council on Feb. 19, 1948 as supporting evidence on behalf of the need for a city FEPC ordinance.

The closest thing to an FEPC group existing at the time was the Employment Certificating Service in Philadelphia. The following figures were compiled by that service as evidence of need for an FEPC.

Employment Certificating Service is part of the Division of Pupil Personnel and Counseling of The School District of Philadelphia. Through its offices in four schools located in central souther, northern and northeastern part of the city, the Employment Certificating Service is responsible for issuing employment certificates required by law for the protection of every young person under 18 years of age, who works either full time or part time. Every boy or girl with a job must apply in person with his parent for a certificate. Employment Certificating Service does no placement.

ANALYSIS OF EMPLOYMENT CERTIFICATES ISSUED IN PHILADELPHIA
ACCORDING TO RACE
 1941 - 1947

Year Ending June	General Employment Certificates*			Vacation Employment Certificates **		
	Total	White	Negro	Total	White	Negro
	Number	%	%	Number	%	%
1941	9290	97.3	2.7	2148	98.5	1.5
1942	26415	97.1	2.9	7417	98.0	2.0
1943	49675	92.4	7.6	22168	96.1	3.9
1944	39513	87.3	12.7	34248	91.6	8.4
1945	28617	82.8	17.2	34179	89.0	11.0
1946	25244	90.2	9.8	17753	91.7	8.3
1947	20633	94.0	6.0	12404	94.2	5.8

*For 16 and 17 year old youth in full time work.

**For 14 to 18 Year old youth in part time work.

The attached table is based on material from the South Philadelphia Employment Certifying Office of the Board of Public Education in Philadelphia.

The table shows that of over 5000 young people certificated for jobs in 1947 in the district south of Pine Street between the Delaware and Schuylkill Rivers:

1. There is a great difference in the number of employment certificates issued for white and Negro children living in the district.

- a. Out of 5340 certificates, 5132 (96%) were for white boys and girls while only 208 (4%) were for Negro.

2. There is a decided difference in the kinds of jobs secured by Negro and white young people in the district.

- a. The largest percentages of Negro youth are employed as:

Service workers (non-public contact)	23%
Other Laborers (wagon and truck helpers, "labor", bundle and floor boys)	21%
Outside errands (boys)	15.4%
Stock boys and girls	11%

- b. The largest percentages of white youth are employed as:

Labor process workers (manufacturing & mechanical)	28%
Clerical Workers	16%
Sales workers	16%

- c. Of 833 certificates for clerical jobs, only seven were for Negroes. Four of these are known to be in business establishments operated by Negroes.
 - d. Of 812 certificates for sales jobs, only 12 were for Negroes, Five of these are known to be in business establishments operated by Negroes.
 - e. Of 1442 certificates for "labor processing" jobs, only 15 were for Negroes.
 - f. Of 102 non-public contact service jobs (dishwashers, porters, bus boys, etc.) 47 were Negroes.

Communication from

OTTO F. CHRISTENSON

Executive Vice President

Minnesota Employers' Association

"FAIR EMPLOYMENT PRACTICES ACT"

to

THE MINNESOTA LEAGUE OF WOMEN VOTERS

November 21, 1949

St. Paul, Minnesota
November 21, 1949

To: The Officers and Members Of
The Minnesota League of Women Voters

From: Otto F. Christenson,
Executive Vice President, Minnesota Employers' Association

Ladies of the Minnesota League of Women Voters:

I have been accorded the privilege of preparing this communication to you to accompany literature that will be sent you regarding proposals for F. E. P. C. legislation.

F. E. P. C. means a government commission called a Fair Employment Practices Commission.

I am going to tell you why an overwhelming majority of employers in Minnesota who are the owners or managers of all-sized businesses believe it would be unfortunate to pass an F. E. P. C. law in this state. There are many considerations that weave into a pattern that makes this so. To present them in a clear manner and not appear to be unfair to minority groups who are our neighbors and our friends, to show that such a law would accentuate all the problems involved and only develop antagonism that defeats the progress of education and self-adjustment of all peoples, and to do so in a brief article is difficult, because each phase of the problem goes deep into human relations and deserves lengthy consideration by itself.

Before I set forth the reasons such legislation is unwise let us clear away the underbrush and oratory and emotional tension that goes with most problems in human relations and consider:

- First - What we are to deal with.
- Second - What brings this proposal of legislation in the late 1940's.
- Third - What is the purpose of this type of legislation.
- Fourth - What the proposed legislation provides.

What We Are To Deal With

This is not a question of whether we should be fair to our minority groups. Every intelligent person knows that we should. We are dealing with whether an F. E. P. C. law should be passed that will put a police club in the hands of the state, that will set up policy machinery to force association of people when they do not wish it, and that will put employers in jail if they do not comply with the orders of a governmental commission.

This is not a question of whether or not a problem exists. Every intelligent person knows that one does exist. We are dealing with the proper method to meet the problem in Minnesota - that is, whether we shall violently seek "to stamp out discrimination" by law, with all the attendant law enforcement problems and arousal of antagonism and prejudice, or whether we shall quietly, thoughtfully, and consider-

ately "work the problem out" as dozens of firms are added each year to the hundreds already employing colored people.

What Brings This Proposal Of Legislation In The Late 1940's

Why has this proposal of legislation arisen in the 1940's on a national and state level when the same was never sought before?

During the 1940's there has been a tremendous migration of colored people from the South to our Eastern and Western seacoast states, and to Middle-western states such as Ohio, Indiana, Illinois, Kansas, and Nebraska. Milwaukee, Wisconsin is about the most northern city this heavy migration has reached. During the war when industry was seeking additional labor at the highest prices ever paid for wages in our history hundreds of thousands of colored people were encouraged, both by the Southern white people where they lived and by Northern industries who needed labor, to come into those states.

In many instances the colored people of the South, particularly those who constitute relief problems and other social problems were the ones who were most strongly urged by Southern taxpayers to go North, East, or West, and take advantage of employment opportunities in those areas.

All of the social and economic problems of these people came with them. Overcrowding of housing conditions put thousands of people together in miserable conditions in cities such as Detroit, Chicago, Gary and many other cities. Our social workers in government and in schools and business have all agreed that a tremendous new problem in housing, in health, in law enforcement, and in all human relationships have arisen in each city and state where this migration has occurred. Dismal conditions soon arose wherever thousands of new colored families came. With the shortages of the war, housing, sanitation, schools, law enforcement, delinquencies and dependencies and their related problems became matters of vital concern not only in the large cities but in hundreds of smaller ones in those states to where heavy shifts of population occurred.

During the war, and since its close, every interested student of the problem has known that with the return of over ten million men and women from the armed services to their old jobs that the problem of where the Negroe would then find jobs and be self-supporting, and where they would live, and how they would live would be one that society would have to meet. Most of these people have become a ready tool in the hands of those who make emotional appeals to have a law passed that would force employers to give them employment.

Minnesota has not yet been forced to meet this problem. But literally millions of colored people are rightfully uneasy and disturbed and anxiously awaiting a haven where they will be assured employment.

But in Minnesota and many other states such as Iowa, Wisconsin, Oregon and California, the already existing population of colored people is sufficiently great so that their leaders have recognized the possibility of getting legislation enacted in those states, and obviously the less desperate the problem is, the less friction already existing, the less opposition is likely to arise to the passage of such a law, simply because fewer people are interested in studying the situation. So occasionally we hear this type of argument in Minnesota. "Why not pass the law - there are

only a few hundred unemployed Negroes in Minnesota, and, if a law with teeth in it is passed, they will be put to work and then we will be done with the problem."

No acute problem now exists in Minnesota. We have only about 22,000 colored people in our whole state with a population of almost 3,000,000, and most Negroes are in the Twin Cities and Duluth.

The unemployed Negroe in Minnesota percentage-wise is now no greater than the unemployed Norwegian, or Swede, or Irishman.

But what if Minnesota passes a law and it becomes generally known throughout the Middle-west and South that no longer can management in Minnesota freely select their employees, but that a government agency on which \$25,000 is to be immediately appropriated, \$5,000 for a Director and \$20,000 for investigations, hearings and prosecutions, whose duty it shall be to compel employers to employ people from minority groups. Is it not reasonable to suppose that in the future, particularly if we have declining markets, that Negroes from Milwaukee, Chicago, Kansas City, Omaha, Detroit and the South will come here in great numbers.

If that should happen, then indeed we would have a real problem that many years would not see the solution of, and that we must be prepared to meet, for not only management, but every citizen of Minnesota and the Negroes we already have here as our neighbors and workers and friends would be affected.

The Minnesota business man knows that already our labor supply exceeds our labor market. At any given time there are only so many jobs available. Obviously if 10,000 colored people, or white people, immigrated into Minnesota at this time and got jobs, 10,000 workers already here, colored or white, would immediately be unemployed. And if 50,000 came the situation would be multiplied 5 times, etc.

So now we clearly see why this proposal of legislation has arisen in the late 1940's and never was sought before. No one knows the answer to the problem, but every social worker and every business man knows we will have to be prepared to meet the problem if we invite it.

What Is The Purpose Of This Type Of Legislation

During the last session of the Minnesota Legislature this developed into one of the most controversial phases of the session. Some of the opponents of the measure charged that it was purely a political maneuver by the proponents to attract votes of minority groups. A few proponents argued something like this, "This bill won't harm or hurt anybody, and it will make the colored people think we are the party that are their friends." Quite a few members in both House and Senate resented the measure being brought in at all. Their position could be summed up in a statement something like this, "This is a bad bill; it will make lots of trouble; I hope it gets killed in committee because if it comes out on the floor I've got to vote for it or it will hurt me so much in the next election I may be defeated by certain wards of my city. I'm convinced the bill is dangerous and bad, but I'm not in position to vote against it on the floor." Several voted for it who considered it a bad bill, because the Governor of the State pleaded with the Legislature to pass the bill in his inaugural address. Their position was something like this, "I don't like this bill at all, but the Governor is demanding that it be passed and I don't want to oppose the head of our party." Many people and some legislators are just naturally in favor of any

legislation that will regulate, restrict, or penalize business men or employers. Many other "purposes" or "intents" were either alleged or evident.

One of these is worthy of some thought on the part of all of us. That is the Jewish position or interest in this type of legislation. Many students of Jewish history, themselves Jews, strongly oppose this issue being brought into the legislative halls of America. Their position, among others, is something like this, "America has been fairer to the Jew than any other nation on earth. Here he has more freedom and more opportunity than anywhere else. Let's not do anything that will develop antagonism or develop heretofore nonexistent prejudices." However, other Jewish leaders favor this type of legislation.

It does not seem to me that the problem of the Jew and the Negroe are sufficiently alike that they can both be dealt with in the same manner, either by law or otherwise. The Jewish people have a history of which they can be proud; of accomplishments in the sciences, in finance, in the fine arts, in law, in government, and in business. They are energetic, capable, and resourceful. To say that they shall be coupled with the problem of ten million Negroes in America and all of their related problems, is simply not realistic to me. Much needs to be done yet in America to work out a proper fellowship between all Christians and all Jews, but nowhere in the world has it ever worked out so well as in this democracy of ours, and certainly education and self-adjustment on the part of both Christians and Jews has progressed far more rapidly than would police machinery set up by government attain it under an F. E. P. C. law.

By now you will commence to understand why business men look into what I refer to as the "purpose of this legislation." Each man and woman will have to determine for himself or herself what the underlying purposes are. Let me give you an illustration of one phase of this as it occurred during our last session of the Legislature to show you human nature at work. Perhaps it will help you in determining whether thrusting these types of proposals in our legislative halls is wise for the best interests of all concerned.

While the bill was being debated by the Senate Labor Committee, two able and highly regarded Republicans in this state had sharp differences of opinion as to what the purpose of this legislation was. One was Governor Youngdahl. The other was Senator Karl Neumeier of Stillwater who has been a State Senator for many years.

Senator Neumeier had said in debate that "the main purpose of this type of legislation is to compel an employer to employ someone he does not wish to employ at a particular time for a particular job, or to compel an employer to promote someone he does not wish to promote, or to refrain from discharging someone he wishes to discharge." A few nights later on the radio the Governor argued that such a statement was not a correct one and that this bill is only aimed at requiring employers to give "consideration" to people of all races, colors, religions, etc.

So Senator Neumeier decided to make a test. The next time the Labor Committee met he offered the following amendment: "Nothing in this bill is to be construed as compelling an employer to employ someone he does not want, but this bill is intended to only require consideration of all applicants for work." Immediately the proponents of the bill, including one of the authors, Gerald Mullin of Minneapolis who was also one of the Labor Committee, urged the Committee to defeat the proposed amendment stating that it would "nullify" the "effectiveness" of the whole bill. And when a vote was taken on the amendment 8 of the Committee members who later

voted for the bill voted to defeat the amendment, and 7 of the Committee members who voted against the bill voted to pass the amendment. At least one thing was there clearly demonstrated - the proponents of the bill consider it something more than just a bill aimed to require employers to give "consideration" to people of all races, colors, religions, etc.

I must not take more space here on this phase of the problem, but I think the following is a fair statement:

"There are many intents and purposes back of this bill beyond the simple question of whether such legislation is best for our minority groups or for Minnesota as a whole."

What The Proposed Legislation Provides

The proponents of this bill in their presentation to the Committee of the Senate said they needed a bill "with teeth in it."

A. Whenever any complaint is made, the Director must investigate it, and the employer must defend himself against it. This is the first penalty.

B. The next step involves referring the matter to a fifteen-man commission, seven of whom constitute a quorum. They have power to direct the issuance of a complaint. If nothing else develops, the employer already is penalized by having to defend their complaint.

C. The employer must then hire a lawyer and draft an answer, or draft an answer without a lawyer and proceed without legal assistance where he may end up in jail; so we may assume most employers will employ legal counsel when a complaint is filed. Thus, he has the penalty of added expense even if he is later found innocent.

D. The Governor then may call the employer in, and if the employer does not convince the Governor that he is innocent or do as the Governor deems proper, the Governor may appoint a three-man commission "to determine the matter." Here is no jury trial, but trial by a three-man commission appointed by the Governor. These steps are also an actual damage to the employer.

E. The three-man board shall, under Subdivision 2, Section 7, "have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence which relates to any matter involved in any hearing, and may by its chairman administer oaths and affirmations and may examine witnesses In case of contumacy or refusal to obey a subpoena under this subdivision, the District Court of the State of Minnesota for the county where the proceeding is pending upon application by the board of review shall have the jurisdiction to issue an order requiring such person to appear before the board of review, there to produce evidence as so ordered, or there to give testimony touching the matter under investigation or in question, and any failure to obey such order may be punished by said Court as a contempt thereof."

F. Various proceedings then apply. Various amendments were added by

the Senate Committee, relating to appeal. All of them at best could only mean added expense to the employer, and, notwithstanding all amendments passed in Committee, eventual jail sentence for contempt for non-compliance is the last penalty.

Let us summarize in a few sentences what I have submitted to you thus far.

1. We are not dealing with the question of whether we should be fair to our minority groups - we are dealing with the question of whether an F. E. P. C. Law with its attendant police machinery should be set up by the state.
2. Proposals for this type of legislation are the result of hundreds of thousands of Negroes migrating from the South during the 1940's. Passage of F. E. P. C. legislation may create a real problem where no real problem exists now, and if we invite the consequences of a migration of colored people into Minnesota we must be prepared to meet the problem.
3. There are many intents and purposes back of this bill beyond the simple question of whether such legislation is best for our minority groups or for Minnesota as a whole.
4. The proposed legislation provides for a series of regulations, inconveniences and penalties for our employers, seeks to take away jury trials and other constitutional freedoms of business men, and seeks to set up a rule of personal conduct between people themselves which would be enforced by a police club held in the hands of the State.

There are two more considerations I would lay before you before I list the reasons the employers of Minnesota think this legislation would be ill-advised.

1. 41 states and our National Congress have declined to pass this type of legislation notwithstanding the work of pressure groups to secure passage.

In most of the states north of the Mason-Dixon Line and west of the Mississippi River, with only a few exceptions, this legislation has been offered, pressure applied for its passage, and after careful consideration by the respective legislatures has been turned down.

In the states south of the Mason-Dixon line where our citizens live who have had more than a century of experience with the problem of white and Negro no sponsorship can be found for such type of legislation.

When good Christian men and women meet in state after state after state, and after giving the matter their most serious and earnest attention and take into consideration all of the problems involved, despite the activities of pressure groups to attain its passage, in all but 7 states have decided it would be best to meet the problem in some other manner than legislation, it should give us some cause to pause and hesitate before rushing into a plan 41 states to date have considered unwise.

Let us consider the 7 states that have passed an F. E. P. C. law. Five of them are located in one isolated geographical area over 1,000 miles from Minnesota. They are eastern states where they have dense populations of foreign-born and colored

residents and have unusual economic and social problems by reason of being ports of embarkation and debarkation where foreign-born and colored residents predominate at election times. The 5 states are New York, New Jersey, Massachusetts, Connecticut and Rhode Island where extremely liberal legislatures under the pressure from colored and foreign-born leadership prevailed upon them to pass this type of legislation. And even in those states, some of them do not have penalty features in their laws such as were proposed in the bill considered by our last Minnesota Legislature.

The other 2 states are Washington and New Mexico.

With heavy populations of foreign-born residents, with heavy influxes of colored people in the past five years, with Japanese, Chinese, and Mexican blocs of votes, and blocs from other foreign-born groups giving their legislative representatives fear of reprisals if they did not vote for this type of legislation regardless of their views on other matters, the legislators from the heavily populated areas of the cities felt themselves forced to pass this legislation over the objection of the legislators from the smaller cities, villages and rural areas of those two states.

2. There is no need for this legislation in Minnesota.

The problem is being met in Minnesota by education and understanding. Each year more and more employers through proper and patient and understanding personnel procedures have placed colored people on their payrolls and retained harmony in their places of business among all their employees.

But you can't legislate morals and human understanding. When you attempt to legislate morals you inevitably bring on resentment.

In both our Senate and House Committee hearings, employing group after employing group, who already employ Negroes, urged and pleaded with the committees not to pass this bill. They pointed out that they would continue to be able to work the problem out if left free to employ whom they chose to employ, but that a "police club" law would destroy not only the incentive to work the problem out, but the ability to do so, because of the harassment and embarrassment of a state agency hearing complaints, etc., against them.

Take one fact reported last March in the newspapers. The Twin Cities have about 20,000 Negroes. A prize was awarded to the outstanding area of the United States who had been outstanding in their treatment and conduct of racial problems. That prize was awarded by a national organization on interracial problems. To whom was it awarded? The Twin Cities!

How, under such conditions, can it be fairly said that Minnesota business men and industrial management should be subjected to prosecution and possible imprisonment by the passage of a bill aimed at them?

It was argued by some proponents that the prize was awarded because Minneapolis has a city F. E. P. C. law enacted at the request of Hubert Humphrey. That is not a valid argument. New York, New Jersey, etc., have such laws on a statewide and city basis. There are more organizations to end "discrimination" in New York state since the Ives-Quinn F. E. P. C. law was passed there than there were before their law was enacted; they have expended over \$350,000 a year in New York state under

their state law; but the Twin Cities was awarded the prize because conditions here are really the best in the United States. Surely the attitude and employment practices of our employers in Minnesota must have contributed substantially to the situation that resulted in the prize being awarded to the Twin Cities. Why then run the risk of destroying this situation with a state F. E. P. C. law?

The employers of Minnesota hope to have the kindly feeling of their law makers and state executives, not regulation, restriction and state control that will even extend to the control of their not being able to employ whom they choose.

The following was uncontroverted in committee hearings:

New York with fourteen million people compared to our less than three million, with a much heavier population of minority groups compared to Minnesota's, from July 1, 1945 to November 7, 1946, with an expense of over \$300,000 had 635 cases received, initiated, investigated, dismissed, settled, conciliated, closed or pending. Of those, only 239 in that sixteen-month period resulted in establishing violations, and over half of those were for not displaying a proper legal poster or for asking improper questions in application blanks, such as requesting the picture of an applicant to accompany an application blank.

Minnesota has less than one-fifth of New York's population and a much less percentage of minority groups and industrial employment. So if we were as bad as New York we wouldn't have one-fifth of 239 violations in sixteen months, or at the most about three cases a month.

So, first because we have already been awarded a prize for being the best in the country, and second because New York experience proves no need for the law there, why should our employers be subjected to the unknown hazard of a crusading commission out to make a record for itself in Minnesota?

Having disposed of these general considerations regarding such legislation, let us now examine some of the specific points and objections made by our business men during the last session of the Legislature.

(1) Some jobs require discrimination.

This is perhaps the most important argument against the bill. If we want industry to come to Minnesota and provide payrolls and furnish taxes for many needed functions of government, we must permit them to operate as freely in the selection of their personnel as they can do in our competitive states.

Certainly our present tax structure is no invitation for them to come here, and certainly our freight rate situation is no invitation for them to come here, and obviously we are a long ways from availability to raw materials such as steel, coal, metal, oil, etc., and certainly we are a long ways from availability to markets for the heavier populations of this country are to the east of us.

Certainly our Workmen's Compensation Laws and resulting insurance rates are no invitation for them to come here. Our granite industry testified in committee hearings the week of February 28 that their Workmen's Compensation insurance premium rate is \$4.52 for each one hundred dollars of payroll, while the rate of their

chief competitors in Vermont is 97¢ per one hundred dollars. A similar situation exists in many industries here in Minnesota. At least we should permit our employers to have the freedom of selection of their own personnel if they wish to come here!

The proponents of this bill admit discrimination is necessary and justifiable in the management of social and fraternal clubs, such as the Knights of Columbus, the Masons, charitable organizations, or educational and religious associations, so the first thing the proposed law does is exempt these employers.

Business men can understand why a Catholic college should not be compelled to employ a Lutheran to teach history of religion and why St. Olaf or Gustavus Adolphus should not be compelled to employ a Catholic to teach history of religion at their schools. Nor should a Catholic Priest be compelled to employ a Unitarian housekeeper. Nor should a Rabbi be compelled to employ a Catholic secretary, no matter how expert and qualified the applicant may be. We want Minnesota and America to be free so that a Roumanian Relief Association does not have to employ Turks because an F. E. P. C. law would seek to control them. Freedom of religion now exists as a fundamental American principle; we want it to continue so, and we want it to continue to apply not only to religious and fraternal organizations but to all people, business men or others.

If there is any such thing as "civil rights," then first among them is freedom of choice, both as to social and religious associations and business associations of a personal character. It is indeed a violation of our religious freedom to attempt by law to prohibit employers from employing people of a religion in whom they have close contact and understanding and confidence. Such a law violates the sacred province of personal preference and national tradition in the close association of men and women, not only in charitable corporations, but in business corporations.

It is the most natural common sense business practice in the world to employ a Norwegian salesman in a Norwegian community and to discriminate against all others.

It is established and good American common sense to employ a German Catholic in a German Catholic community where he will meet and know his customers in a common understanding and an easy manner.

We quote from a letter from the Bay State Milling Company of Winona:

"If we were to advertise for a flour salesman to cover Alabama, do you think I would hire a colored man, even if he applied before anyone else? He might be a fine fellow and a good salesman, but how far would he get in Alabama?"

The placing of every man and woman in a job is the matching of his or her personality with the job. A girl in a department store to sell cosmetics or model blouses or any other job is selected with the view of what type of complexion, or appearance, will sell the most merchandise. Employers must be free to discriminate in favor of those who the employer believes will do the best job, not who a state commission consider will do the job satisfactorily. At least that much freedom should be left to Minnesota business men.

The same applies to promotions. Two employees may have equal qualifications. The employer should have the right to select the one whom he thinks will attain the most harmony among his employees, or who will make the best impression upon his

customers, and that freedom must be unimpaired by a state commission.

Take our medical organizations for example. People from all over the world come to our state, about 20% from south of the Mason-Dixon Line. If Southern mothers and wives and daughters are to be examined by Negroe doctors, no matter how good and capable and fine citizens such colored doctors may be, our Southern customers will simply go to some other state and hospital where no F. E. P. C. law exists. Our Minnesota hospitals have become a great institution for the good of all mankind besides bringing millions of dollars a year into this state. Should their success and progress be endangered by a law of this kind? Where is Minnesota and society best served? This F. E. P. C. law would apply to every hospital in this state.

Our canning industries appeared in force before both the Senate and House Committees. They employ thousands of Mexican Nationals, Puerto Ricans, Jamacians, Bahamans, etc. They certainly do not discriminate in whom they employ. They begged the Legislature not to pass this law. They pointed out the necessity to segregate these peoples, or bloodshed would result. Certain races cannot get along with certain others according to their testimony, from their experience. They must discriminate and not only segregate, but be extremely careful whom they employ and whom they promote to be over other workers, etc. Do not our canning industries deserve the kindly cooperation of those who make and enforce our laws, and not proposed laws such as this?

So it is with every job. The country bank who wants an Irish Catholic teller, the Northern Minnesota lumber yard that wants a Swedish manager, the country creamery that wants a Swiss or German butter maker, etc., are no different than the city wholesale house who want an English accountant or a German engineer. Discrimination is simply American freedom to do business free of governmental control, and with the liberty to employ who the employer considers will do the best job and obtain the most satisfactory results.

- (2) This bill would subject employers to damaging consequences from unfavorable publicity whether or not deserved.

Rather than have publicity an employer would have to submit to most any pressure or ruling from the Director or the commission or anyone else charged with carrying out the provisions of the bill.

- (3) This bill will encourage complaints no matter how unjustified.

The very passage of this bill will encourage complaints. As work becomes harder to get the first thing any person in a minority group would think of doing would be to file a complaint in the hope of forcing the employer to employ him.

- (4) This bill fails to provide any protection or recourse against false complaints except that the complaint be dismissed.

What has any complainant got to lose by filing a complaint? If the commission forces the employer to employ him, he wins. If he loses, not a cent of costs or penalties can be assessed against a person making a false or unjustified complaint.

- (5) This bill requires employers to hire people they have first declined to hire and to pay them back wages which would affect the authority and efficiency and morale and total effectiveness of any business organization where it occurred.

The proponents of this bill assume that as soon as they forced an employer to hire someone he didn't want that would end the matter and everything would work out fine. As a matter of fact that is only when the trouble would really start. If other employees are made unhappy in their job by having an unpleasant daily relationship forced upon them and even if only one or two quit (and you can't force other employees to stay on the job), the whole efficiency of a department may be impaired. If the employer seeks to dismiss the employee forced upon him by the state for any reason, the employee can again complain of discrimination. Endless trouble can result. And certainly poor morale may often result, not only from other employees, but from the employee forced upon the employer who has not bid him welcome, and who will believe that the boss can't "push him around" because he is there by order of the state.

- (6) This bill will subject employers to public hearings and legal prosecution for acts which may be subjected to a variety of interpretations or judged on the basis of intangible factors.

How can any agency usually determine what goes on in an employer's mind? Yet the commission will be empowered to make just such a determination in every case. How can the employer defend himself except to deny discrimination? Convictions will be necessary or the commission and the agency cannot justify itself. The commission will "guess" many an employer guilty upon intangible factors. What power to give a state commission!

- (7) This bill will encourage boycotts and picketing.

Let a complaint be filed, justified or unjustified, and let it become known in the community, and undoubtedly there will be many cases of people of the group of which the complainant is a member boycotting the employer. In every case where emotions run high there are many people anxious to picket employers to imply that the employer is unfair.

- (8) This bill opens the door to blackmail, boycotting and picketing practices with no recourse.

Any substantial employer would undoubtedly be tempted to pay off a few hundred dollars rather than face the publicity of a trial, no matter how innocent he might be. And such blackmail practices would be kept secret by all concerned. This phase of the problem is vicious.

- (9) This bill accentuates collateral social problems.

The social problems involved in this type of legislation and succeeding legislation that inevitably will follow if this is passed should make any careful person pause and hesitate. Our social problems are being worked out by education, by the church, by private agencies, and by general development. This type of legislation will ac-

centuate these problems and will make problems acute that can best be worked out by the development of a relationship of friendly cooperation through the gradual process of self adjustment, but precisely the contrary result can come from forced association.

(10) This type of legislation develops heretofore unknown prejudices.

By its terms any person can make a complaint and the Director is charged with investigating each case. He and his assistants would have a wide range of action. The employer would have the burden of proof of proving himself innocent. Let us assume that an innocent employer was put in such a position a few times. Is it not reasonable to suppose that he would then develop prejudices even if none prevailed in the beginning?

If you have discussions at your meetings regarding this measure you will not have to leave your meeting before you will see people on both sides become emotionally up-set regarding what should be done. The actions of those for or against the bill, the emotions aroused, the infringement of what both proponents and opponents consider their "civil rights," the extremes to which people interested in this type of legislation will go that they would not consider doing in any other type of proposed legislation, the antagonism which is aroused in committee meetings and otherwise will demonstrate to you, whether you are at a legislative committee meeting, or at any other type of meeting discussing these problems, that human nature is such that the very thrusting of this issue into the field of proposed legislation develops heretofore unknown prejudices.

(11) This bill creates a feeling of antagonism among persons of different races, colors and religions.

To hold a police club over the heads of employers and to set up police machinery to force associations of people when they do not wish it only develops antagonism and defeats the progress of education and self adjustment by all peoples.

(12) What emergency prevails in Minnesota that warrants such treatment of our employers and that requires the demanding of passage of such a law.

America and Minnesota have always been the land of freedom. People have come here for over a hundred years to get away from "too much government." Washington, in his farewell address, warned Congress of his and succeeding generations to avoid "too much government." Do we have to have this much government control, this much police enforcement, this treatment of our Minnesota employers, when the employers of all the Northwest and most of the West, and all of the South, and most of the East have no threats to their operation of their business?

(13) F. E. P. C. legislation is a step toward the "police state."

We condemn the government of Russia for having their government agencies and bureaus regulate and control their business and factories and personnel problems. Yet, here in Minnesota we are now faced with proposed legislation that would take away from our employers the right to select their own personnel.

This type of legislation is the main plank of the Communist Platform. It was the main plank in Henry Wallace's platform in the recent national election.

The big danger in such legislation is regimentation. When the state can regulate the hiring and firing by firms and individuals, we cease to have free and private enterprise, and we are dangerously near the borderline of a communist state. Every piece of legislation that gives power to the state to control acts of individuals, taking away their personal freedom in any way, is a step nearer to totalitarianism.

F. E. P. C. legislation is geared to the purpose of Communism. It is strictly Marxist in nature, being based upon the recognition of class distinction. It is class legislation. It would serve to change our established social and political structures - change them to conform to a new un-American ideology. It not only tends to destroy the right of choice as to personal associations, it is a long step in the direction of the "police state."

(14) This law regulates employment agencies to the injury of employers.

In the larger cities we have many private employment agencies. People seeking work go to them and list their qualifications, and the employment agencies specialize in finding work for them for which a fee is paid, sometimes by the applicant and sometimes by the employer. It is the job of the employment agencies to "screen" the applicants so that their personalities and skills can be closely matched to what the employer is seeking.

We have excellent employment agencies in Minnesota who enjoy a national reputation for integrity and efficiency. Almost all of them deal entirely with skilled or trained employees in the field that we normally refer to as "white collar" workers. Employers use them frequently.

Let me give you a simple illustration. Suppose we want a bookkeeper. We may have different ideas in mind as to the kind of bookkeeper we want. Some employers prefer a man; others a woman. Some prefer a married woman; some a single woman. Some prefer an older woman who has had years of experience at bookkeeping; others prefer a girl with little or no experience so that she can be trained in the particular procedure used by the company. In a smaller firm where perhaps only one secretary and one bookkeeper are employed and where the outside production force is perhaps only 30 or 40 people the employer will endeavor to select a person who will get along congenially with the stenographer or secretary who will be working in the same room with the bookkeeper, and eventually may even have the applicant for the bookkeeping job consult with the secretary because they will be in close association for years to come.

Recognizing the general qualifications that he desires in a bookkeeper, he will call one of the employment agencies and say something like this to them, "Please select three prospective bookkeepers for me. I prefer a married woman, over 30, with at least five years experience in bookkeeping. Because she is to meet my customers, I prefer a woman moderately attractive, well dressed, and able to converse pleasantly and intelligently with the men and women who come to my place of business and one who will make a favorable impression upon them. Her starting salary will be \$175 a month with chance for advancement. I do not wish to see a lot of applicants. I do not want to see over three. Please select three that you think would most likely meet with my approval and arrange for them to have an interview

with me on Monday morning of next week. Following my interview with her, I will want her to confer with my secretary who has been with this firm over twenty years."

Here is discrimination. I hope it is understandable discrimination. The employer discriminates as to age, experience, appearance, personality, the judgement which an older employee of the firm will have, etc.

Let us assume that the employment agency has ten applicants who reasonably fall into the category set forth by the employer, but the employer has specifically directed that only three be sent. In the employment agency's files in this category are the application blanks of two Negroes, two Jewesses, two Norwegians, one German, one Swede, and two English girls. The employment agency, being skilled in matching personalities with offered jobs and usually knowing the employer who has called, will make a selection of the three they think most nearly will meet with the employer's approval.

Immediately, under proposed F. E. P. C. legislation, each of the seven girls who is not selected is in position to file a complaint charging discrimination, and endless trouble and expense and harassment arises, and even if the employment agency is able to exonerate itself and the employer is able to prove himself innocent, inconvenience, expense and time lost are the risk and penalties which the employment agencies and the employer will sustain. Thus, the employers of the state would not like to see a law passed which would impair them and the agencies of the means they now have at hand of selecting employees.

(15) The law is discriminatory in itself.

If enacted, the law immediately would discriminate against the majority. It gives the minority special privileges because only those of the minority will file complaints. Ten Scandinavians or English or members of other races could be rejected, and but one colored or Jewish or Mexican or Japanese or other minority person might be rejected, and only the person from the minority group could file a complaint under F. E. P. C. philosophy.

Under the operation of such a law the average employing executive of a firm would be in position where, through fear of the operation of the law if various races and creeds applied for a job, he would have to discriminate in favor of a person of a minority group or be subject to complaint and the various complications arising therefrom, plus the penalties we have referred to heretofore, if a government commission determined that he had discriminated. The average employment executive would be somewhat in position where his thinking would be, "We have to hire this applicant or face the prospects of getting into trouble."

Pages could be devoted to the complications and problems that executives in both large and small businesses will be faced with by reason of a law which, if passed, would be discriminatory in itself in favor of minority groups, rather than the freedom to base employment practices upon the judgment of management which now exists.

I have now submitted to you the reasons legislature after legislature have refused to pass F. E. P. C. bills. I know I have done an inadequate job of condensing many days testimony into a few pages of print.

Business men and industrial management have long been criticized for not doing a better job of selectivity when selecting the people their fellow workers will have to associate on close terms with. Time and again they have been told that when making promotions, or selecting a foreman, to exercise more care and select someone whom the other workers will enjoy working under, and taking directions and instructions from. Every school of business administration has emphasized the need for careful discernment, for careful discrimination, for the need of matching personalities to jobs and fellow associates so that harmonious labor relations and working relations will result. The primary function of management is to manage. They must assume the responsibility of employing whom they consider will make the best employees for each particular position taking into consideration all surrounding circumstances.

To do this job well the larger companies employ personnel men and women, industrial relations managers, employee training courses, aptitude tests, social and educational programs, etc. People in charge of these departments spend a lifetime of schooling, training, and specialization in employing the right man or woman for the right job, and for promoting the right man and woman at the right time to the right job. In the smaller businesses one or two owners or managers have to assume these responsibilities themselves. In the smaller cities they know their community well enough to know who will fit into their picture.

But now we find a proposal coming from people who know nothing of business or industrial management in most cases, to put these business men where they no longer can exercise their best judgement, but who will have to comply with the order of a government three-man commission who "will determine the issue."

The employers of Minnesota hope to have, and are constantly working for, the kindly feeling of their workers, their customers, their lawmakers and the public. We refer to it sometimes as "public relations." Certainly we do not want regulation and state control that will even extend to the control of our not being able to employ whom we choose. F. E. P. C. legislation is sometimes referred to as "civil liberties." What liberty is there in such state control? Can you imagine our Minnesota pioneers looking down on us in this Centennial year - those men and women who went through many privations that they might have freedom and liberty and who created a state where freedom has been the philosophy of all - imagine what they would say when they saw us debating whether a Minnesota employer should be permitted to have freedom enough to select his own employees and personnel without state dictation or interference?

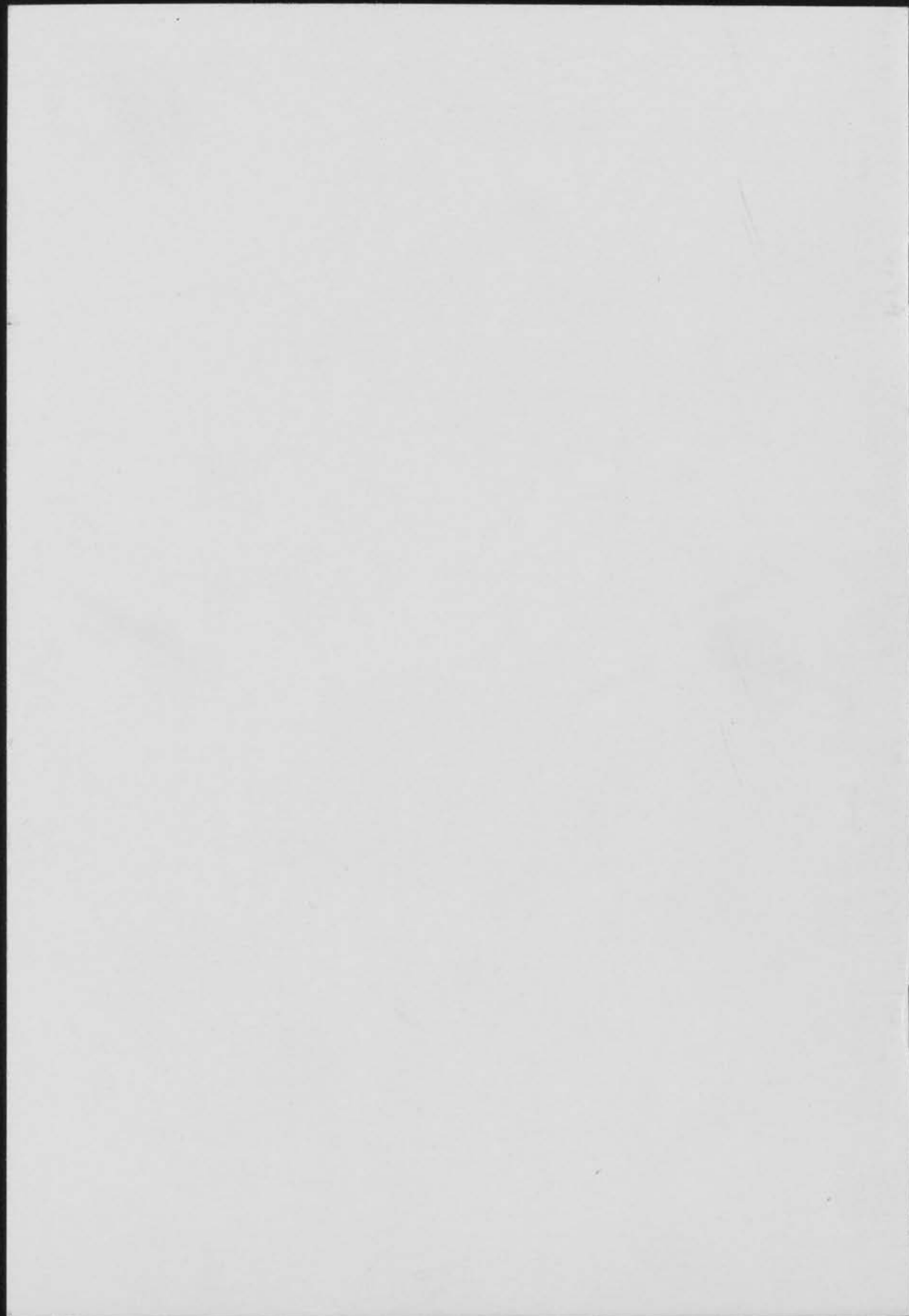
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FEPC: New York Version

The battered carcass of the federal fair-employment-practices bill was raised from the dead again this summer, not long after Congress had given it what looked like the coup de grace. Its resurrection was due largely to the Korean war. For one thing, there was a sudden, unhappy realization that labor might soon be in short supply in many areas. And equally important were the new problems of political warfare in the Far East: the Cominform is trumpeting objurgations against "Truman's war on the colored people of Asia," and in the U.S. the Communists are running wild on the Negro issue. Now the U.S. labor movement, led mainly by a A. Philip Randolph of the Sleeping Car Porters, has begun a push for a new FEPC. This time Randolph can argue the success of several state antidiscrimination laws. States with enforceable FEPC laws are New York, Mass., N.J., Conn., R.I., Wash., Ore., and New Mexico. (The Wisconsin and Indiana laws provide for no enforcement.) New York's law against discrimination is the oldest and probably the best. It was passed in 1945 with bipartisan support-Irving Ives, who has since gone to the U.S. Senate, and Elmer Quinn, the Democratic State Senate leader, were its sponsors-over the loud protests of the State Bar Association, the Chamber of Commerce, and several score other organizations.

The New York law, as compared with the wartime federal FEPC, has administrators closer to the local scene and a relatively liberal supporting climate of opinion. Also it has a good staff of 67 and a pretty adequate budget of \$400,000. But most important is the ready availability of sanctions: the federal law applied only to industries with war contracts, and its only real sanction was contract cancellation. The State Commission Against Discrimination (SCAD) can call for fines and imprisonment. So far it has not done this; it has always emphasized persuasion and conciliation-though of course, these terms have a special meaning when sanctions stand behind them. The commission has never even used its weapon of public hearings. It believes that the 3,100 cases it has handled in 5 years-the large majority involved Negroes-have been resolved satisfactorily without the mailed fist.

The Ives-Quinn Act has obviously helped to eliminate discrimination in many areas. Negroes are now employed as, for example, telephone operators, department-store clerks, major-league ball-players, and sandhogs-jobs once virtually closed to them in New York. Help-wanted ads and job-application forms no longer include references to race, religion, or national origin. A New York employer may, for example, ask whether an applicant speaks Spanish, but not how he learned to speak it; he may ask whether an applicant belongs to the American Legion, but he may not ask about the Catholic War Veterans.

The law was designed to avoid the unhappy experiences of the Reconstruction era's civil-rights laws, some sixty of which are still on state lawbooks but inoperative. These laws required either prosecution or civil damage suits. They were never effective because they required more time, effort, and money than district attorneys or individuals were willing to give. The law against discrimination turns enforcement over to a 5 man commission with the power to determine "probable cause" and act on complaints. The commission has also, on about 500 occasions, initi-

1949

A BILL

FOR AN ACT RELATING TO METHODS OF PREVENTION AND ELIMINATION OF THE PRACTICE OF DISCRIMINATION IN EMPLOYMENT AND OTHERWISE AGAINST PERSONS BECAUSE OF RACE, RELIGION, COLOR, OR NATIONAL ORIGIN; PROVIDING METHODS OF CONCILIATION, CREATING THE MINNESOTA FAIR EMPLOYMENT PRACTICES COMMISSION, AND THE OFFICE OF THE DIRECTOR FOR SAID COMMISSION; AUTHORIZING THE GOVERNOR TO APPOINT A BOARD OF REVIEW; DECLARING CERTAIN PRACTICES OF DISCRIMINATION TO BE UNFAIR; PROVIDING FOR CEASE AND DESIST ORDERS AND OTHER REMEDIES; PROVIDING FOR JUDICIAL REVIEW THEREOF, AND PROVIDING AN APPROPRIATION WITH WHICH TO CARRY OUT THE TERMS OF THIS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Preamble. This act shall be known as the Minnesota Fair Employment Practices Act. It shall be deemed an exercise of the police power of the state for the protection and promotion of the public welfare, health, and peace of the people of the state, and the legislature hereby finds and declares that practices of discrimination against any of its inhabitants because of race, religion, color or national origin, are of state concern, that such discrimination threatens not only the rights and privileges of its inhabitants but menaces the institutions and foundations of the free democratic state.

Sec. 2. Definitions. When used in this act: (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers;

(2) The term "employment agency" includes any person undertaking to procure employees or opportunities to work;

(3) The term "labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

(4) The term "unfair employment practices" includes only those unfair employment practices specified in section 5 of this act.

(5) The term "employer" includes the State of Minnesota and all political subdivision thereof;

(6) The term "employer" does not include social or fraternal clubs, charitable, educational or religious associations or corporations, if such clubs, associations or corporations are not organized for private profit. The term "employer" does not include any employer with less than 20 persons in his employ. The term "employee" does not include any person employed by his parents, spouse, or child, or any person employed in the domestic service of any individual;

(7) The term "national origin" shall include ancestry.

Sec. 3. Subdivision 1. Commission. There is hereby created the Minnesota Fair Employment Practices Commission, hereinafter referred to as the commission. The commission shall consist of 15 members who shall be appointed by the governor, and one of whom shall be designated as chairman by the governor. The term of office of each commission shall be for five years, provided, however, that of the commissioners first appointed, three shall be appointed for a term of one year, three for a term of two years, three for a term of three years, three for a term of four years, and three for a term of five years. The term of office of a commissioner shall expire on June 30th of the year in which said term expires. Any vacancy shall be filled by the governor for the unexpired term.

Seven members of the commission shall constitute a quorum. A vacancy in the commission shall not impair the rights of the remaining members to exercise all of the powers of the commission. No member of the commission shall receive compensation. Any member of the commission may be removed by the governor for cause.

Subd. 2. Director. There is hereby created an office of the director for the Minnesota Fair Employment Practices Commission, hereinafter referred to as the director. The director shall be appointed by the governor with the advice and consent of the senate, for a term of five years. Said term shall expire on June 30th of the year in which said term expires. The director shall receive an annual salary of \$5,000 and shall be entitled to expenses actually incurred by him in the performance of his duties. The director shall be a member of the commission ex officio. Any vacancy shall be filled by the governor for the unexpired term, subject to confirmation by the senate.

The director may be removed by the governor for cause after being given a written statement of the charges and an opportunity to be heard thereon.

Sec. 4. Powers and Duties of Commission and Director. Subdivision 1. The commission shall have the following powers and duties: (1) To meet and function at any place within the state of Minnesota;

(2) To obtain upon request and utilize the services of all governmental departments and agencies of the state;

(3) When requested by the director, to assist the director in attempting to eliminate an unfair employment practice by conference, conciliation, and persuasion;

(4) To advise the director in the administration of this act;

(5) To investigate and study the problems of discrimination in all fields of

human relationships or in specific instances of discrimination because of race, religion, color, or national origin; to foster through community effort, or otherwise, good will, cooperation, and understanding among groups and elements of population of the state. To develop and recommend programs of formal and informal education for use in public schools and otherwise, calculated to emphasize the origin of prejudice against minority groups, its harmful effects and its incompatibility with American principles;

(6) To request the cooperation of private agencies and such administrative agencies and conciliation councils, local or statewide, as will aid in effectuating the purposes of this act. Such agencies and councils may make recommendations to the commission for the development of policies and procedure in general;

(7) To issue such publications and results of investigations which in its judgment will tend to promote good will and minimize or eliminate discrimination because of race, religion, color, or national origin;

(8) The commission shall for each biennium submit to the governor a written report of all its activities and of its recommendations.

Subd. 2. The director shall be responsible for the investigation and elimination of specific instances of unfair employment practices which may come to his attention, and shall have the following general powers and duties: (1) To employ such agents, clerks, and others as may be necessary for the proper administration of this act;

(2) To make available to the commission and to the board of review the facilities of his office;

(3) To assist the commission in the performance of its functions;

(4) To promulgate procedural rules and regulations.

Sec. 5. Unfair Employment Practices. It shall be an unfair employment practice: (1) For an employer, because of the race, religion, color, or national origin of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions, or privileges of employment;

(2) For a labor organization, because of the race, religion, color, or national origin of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer.

(3) For an employment agency to discriminate in listing, classifying, referring

or otherwise against any individual because of race, religion, color, or national origin unless based upon a bona fide occupational qualification;

(4) For any employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because he has opposed any practices forbidden under this act or because he has filed a petition, testified or assisted in any proceeding under this act;

(5) For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act, or to attempt to do so.

Sec. 6. Procedure, Conciliation. Subdivision 1. The director may, on his own motion, cause an investigation to be made for the purpose of determining whether an unfair employment practice has occurred. Any person claiming to be aggrieved by an unfair employment practice may file with the director a written verified petition which shall set forth the name of the person, employer, labor organization or employment agency alleged to have committed an unfair employment practice; a brief statement of the facts comprising the unfair employment practice, and such other information as the director may by regulation require. Upon the receipt of such a petition the director shall cause the facts thereof to be investigated.

Subd. 2. If, in the opinion of the director, it appears that an unfair employment practice may have been committed, the director shall endeavor to eliminate said practice by conference, conciliation and persuasion. The director may request and accept the services of such advisory agencies, conciliation councils and other groups and persons as may be available.

Subd. 3. In case of failure to eliminate the unfair employment practice the director shall refer the matter to the commission. If, in its opinion, all practicable means of conciliation have been undertaken, and if, in its opinion, the facts warrant further proceedings, the commission may file its findings and recommendations with the director. Thereupon the director shall issue a complaint in the name of the director, in which shall be set forth the name and address of the person, employer, labor organization or employment agency charged with the unfair employment practice who shall be designated as respondent, the facts constituting the unfair employment practice. The complaint shall also contain the names and addresses of any person claiming to be aggrieved by the unfair employment practice.

A copy of the complaint shall be served by mail on respondent and upon the person named therein as aggrieved. The respondent may within ten days after a copy

of the complaint is mailed to his address, file in the office of the governor a written verified answer to said complaint.

The director shall file in the office of the governor the original complaint, to which the director shall attach a report which shall fully disclose what attempts have been made at conciliation of the matter, together with the findings and recommendations of the commission.

Sec. 7. Subdivision 1. Board of Review. After the filing of a complaint the governor may appoint a board of three members, one of whom shall be an attorney at law, and shall be designated by the governor as chairman, to determine the matter.

Subd. 2. Powers of Board of Review. (1) The board of review appointed by the governor pursuant to the provisions of this act shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence which relates to any matter involved in any hearing, and may by its chairman administer oaths and affirmations, and may examine witnesses. Such attendance of witnesses and the production of such evidence may be required from any place in the state of Minnesota at any designated place of hearing, but hearings shall be held in a county where the unfair employment practice occurred;

(2) In case of contumacy or refusal to obey a subpoena issued under this subdivision, the district court of the state of Minnesota for the county where the proceeding is pending or in which the person guilty of such contumacy or refusal to obey is found, or resides, or transacts business, upon application by the board of review shall have jurisdiction to issue to such person an order requiring such person to appear before the board of review, there to produce evidence as so ordered, or there to give testimony touching the matter under investigation or in question, and any failure to obey such order of the court may be punished by said court as contempt thereof;

(3) Each member of the board of review so appointed shall be paid a per diem of \$15.00 per day and his necessary expenses while serving.

Subd. 3. Procedure. The board of review shall, as soon as practicable, conduct a hearing in the county wherein the unfair employment practice occurred. Ten days' written notice of the time and place of hearing shall be served by mail upon the interested parties and upon persons named in the complaint as aggrieved. Any person aggrieved by the unfair employment practice may intervene, in person or by representative, and may present testimony. The board of review shall not be bound by the rules of evidence applicable to an action at law. Testimony taken shall be under

oath and shall be transcribed. Any party to the proceeding may appear before the board of review in person or by representative.

Subd. 4. Findings and Order of Board of Review. If, upon all the evidence at the hearing the board of review shall find that a respondent has engaged in any unfair employment practice as defined in section 5 of this act, the board of review shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unfair employment practice and to take such affirmative action, including (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization, as, in the judgment of the board of review, will effectuate the purposes of this act, and including a requirement for report of the manner of compliance. If, upon all the evidence, the board of review shall find that a respondent has not engaged in any such unfair employment practice, the board of review shall state its findings of fact and shall dismiss the complaint as to such respondent. The findings of fact and order of the board shall be served by mail upon the interested parties. All records and transcripts, findings and orders of the board of review shall be filed in the office of the director, and shall be at all reasonable times available to all parties for examination without cost.

Subd. 5. Judicial Review and Enforcement. The director, respondent or intervenor aggrieved by such order of the board of review may obtain judicial review thereof. In the event of failure of a respondent to comply with an order of the board of review, the director shall proceed in the district court for an order enforcing the order of the board of review. Review or enforcement proceedings shall be brought within sixty days from the date of the order of the board of review or from the date of failure to comply with the order of the board of review in the district court within any county wherein the unfair employment practice which is the subject of the board of review's order occurs or wherein any person required in the order to cease and desist from an unfair employment practice or to take other affirmative action resides or transacts business. Such proceeding shall be initiated by the filing of a petition in such district court, together with a written transcript of the record upon the hearing before the board of review, and the issuance and service of a notice of motion returnable at a special term of such court. Thereupon the district court shall have jurisdiction of the proceeding and of the questions determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon

the pleadings, testimony, and proceedings set forth in such transcript an order enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the board of review. Provided, however, that the reviewing court shall not deny enforcement of a lawful cease and desist order because of failure of the record to disclose the presence or identity of a person aggrieved by the unfair employment practice. Any party may move the court to take additional testimony or remand the case to the board of review for said purpose provided he shows reasonable grounds for the failure to adduce such evidence before the board of review. The court may take additional testimony or may remand the case to the board of review for the taking of additional testimony. The findings of the board of review as to the facts shall be conclusive if supported by sufficient evidence on the record considered as a whole. All such proceedings shall be heard and determined by the court as expeditiously as possible and with lawful precedence over other matters. The jurisdiction of the court shall be exclusive and its judgment and order shall be final, subject to review by the supreme court by way of a writ of certiorari. Failure to comply with the final order of a court having jurisdiction shall constitute contempt of court. Any interested party, including the director or any aggrieved intervenor may institute contempt proceedings.

Sec. 8. The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this act shall be deemed to repeal any of the provisions of laws of this state relating to discrimination because of race, religion, color or national origin, but, as to acts declared unfair by section 5 of this act, the procedure herein provided shall be exclusive.

Sec. 9. If any clause, sentence, paragraph or part of this act or the application thereof to any person or circumstances, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act.

Sec. 10. The sums hereinafter set forth, or so much thereof as may be necessary, are hereby appropriated out of the general revenue fund in the state treasury to the commission for the purpose of carrying out the provisions of this act: the sum of \$3,000 to be immediately available; the sum of \$22,000 for the fiscal year ending June 30, 1950; and the sum of \$25,000 for the fiscal year ending June 30, 1951.

Subsequently the Director issues a complaint which is served on the person charged, styled the respondent, and on the person claiming to be wronged, who may thereupon appear as an intervenor. The complaint and the answer of the respondent are filed with the Governor, together with a report of the Director showing fully all efforts for conciliation. The Governor may then appoint three persons as a Board of Review, who informally try the disputed issue in the county where the unlawful practice is alleged to have occurred. Each member of the Board receives \$15.00 per day while actually employed on the case with necessary expenses.

If the charge is found unproven the complaint is dismissed. If proven, the Board may make an order that the respondent cease the unfair practice, and directing the hiring, reinstatement or upgrading of the employee, or restoration to membership in a labor organization. In case of non-compliance the Director applies to the District Court for an order of enforcement, filing with his petition a transcript of the record before the Board of Review. The District Court then has complete jurisdiction, subject only to review by the Supreme Court on writ of certiorari. It may receive additional testimony or return the case to the Board of Review for that purpose. Failure to obey its final order is punishable as contempt of court.

For the administration of the ACT the sum of \$3,000 is made immediately available, \$22,000 being provided for the year ending June 30, 1948, and \$25,000 for the following year.

Digest of Fair Employment Practice Bill

Minnesota Senate File No. 622 House File No. 806

By Edward F. Waite
Retired District Judge, Hennepin County

Purpose

The purpose of the proposed ACT is to eliminate practices of discrimination in employment because of race, religion, color or national origin. Such discrimination is declared to be "an unfair employment practice," and a concern of the state in that it "threatens not only the rights and privileges of its inhabitants, but menaces the institutions and foundations of the free democratic state."

The bill is broadly modeled upon legislation which has been in effect in New York and New Jersey for two years, and in Massachusetts since April, 1946. The Minnesota bill was prepared at the request of Governor Youngdahl in the office of the Attorney General and in collaboration with the Governor's Interracial Commission, appointed by Governor Thye in 1943.

Scope

It applies to employers, labor unions and employment agencies, but does not cover employers of less than twenty persons; social or fraternal groups; charitable, educational or religious associations or corporations not organized for private profits; or persons employed in domestic service, or by their parent, spouse or child.

It is declared an unfair practice:

1. For an employer, because of race, religion, color or national origin of any person, to refuse to employ him, or to discharge him from employment, or discriminate against him in any of the conditions of employment.

2. For a labor organization, for like reasons, to exclude or expel a person from membership, or discriminate against him in any way.
3. For an employment agency to make a like discrimination in listing or referring for employment.

Administration

There is created a Fair Employment Practice Commission of fifteen persons appointed by the Governor to serve without compensation. The Governor also appoints, with the consent of the Senate, a Director for a term of five years at an annual salary of \$5,000. The Commission and Director are charged with the administration of the ACT, the duties of the former being chiefly advisory and educational; those of the latter being executive, to investigate and correct alleged unfair employment practices. A Board of Review is also provided for with functions as hereinafter indicated.

Procedure

A person claiming to be the subject of an unfair employment practice may file a petition with the Director stating his grievance. Whereupon the Director investigates the case and if there appears to have been an unfair practice he undertakes to correct it "by conference, conciliation and persuasion." If this fails, the matter is referred to the Commission, which in its discretion may make a recommendation for further proceedings.

Minnesota State Fair Employment Practices Arguments - 1949

Further answers to points raised by opponents.

*Can get additional
copies*

I. Minnesota Cannery Association - Mr. Kraus

- A. Cannerymen have to practice segregation because of fear of violence. There is no evidence presented or intimated that any of the cannerymen sought the advice of the Governor's Interracial Commission or any of the voluntary agencies familiar with interracial problems to assist them in meeting this problem. They have not formed community committees to help integration. They have not continued voluntary educational activities with their workers. In other words, they have done nothing on a voluntary basis to educate, which, they argue, is the only answer. If violence is to be avoided, the practice of segregation, ostracism and other practices of group prejudice must be effectively combatted, by the whole-hearted efforts of the entire community including the employer. This is education and it is evident that it is of concern to the state.
- B. The cannerymen argue that communities will not serve minority groups in restaurants, drugstores or other public service facilities. This is a violation of the state Civil Rights law, and the cannerymen should seek the assistance of the local law enforcement agency in conducting an educational campaign amongst the business men in their area.
- C. The cannerymen argued that in the problems of upgrading, promotion, transfer and lay-offs, they would be deluged with complaints. This is a fear founded on misinterpretation of the facts. There is no evidence that this has been a problem in New York or New Jersey, where extensive canneries are located.

II. Granite Industry

- A. Some of the testimony of the witnesses of the Granite Industry is that they are opposed to the legislation. They admitted that they had no problem at present, and stated that they know of none that they might have, if the law was passed. Their opposition was based on the leadership of the MEA and nothing else.

III. Minnesota Mining and Manufacturing Company

- A. This company stressed voluntary education and stated that they were doing very well under it. They introduced no evidence that they are actually conducting such voluntary education. As a matter of fact, this company afforded considerable opposition to the war time executive order on FEPC affecting industries under war contract. Voluntary organizations have had very little cooperation from this concern.

IV. Kahler Corporation, Rochester, Minnesota

- A. This company argued that 40% of their business is from the South and therefore they can not employ Negroes as nurses, doctors, ward attendants, bus-boys, waitresses, or in any other capacities, as they would lose this southern business. There is no evidence that this is more than an unfounded fear. People whose health is in grave danger will travel the world over to those institutions affording the most favorable scientific opportunities for them to get well. When Hitler thought he had cancer of the throat, he had no hesitation in being treated by a Jewish doctor. Why should Minnesota have its mental and moral standards set by the prejudiced opinions of those citizens from other states who come here to be healed?
- B. There is no evidence that the Kahler Corporation has ever spent a nickel on voluntary education on the matter of group tensions for its employees, management or customers, and yet they argue that this is the solution.
- C. Attention is invited to the fact that the Mayo Clinic mentioned orally did not offer any testimony.

V. The Queen Stove Company, Albert Lea, Minnesota, Mr. Newman

- A. This company produced only opinion and no facts. They are fearful and admitted that they practice discrimination in upgrading of otherwise qualified employees. Mr. Newman actually stated that if he had to consider certain types of people for promotion, he would be reluctant to hire them initially. It is this kind of practice that the law will stop and it is no wonder that he opposes it.

VI. Minnesota Employment Agencies Association

- A. Mr. Lindfors was not authorized by the MEA to appear for them.
- B. In the Senate he admitted that he was a violator of the law.
- C. He stated that employment agencies must discriminate if to continue to exist. He fails to see that this discrimination is based on reasons other than the qualifications of the individual and if agencies are permitted to refer the best qualified individuals for a job regardless of race, religion, etc., that this increases the opportunities of the agency to secure placement. Experience in FEPC states indicates that employment agencies actually have a wider opportunity for placement if these false restrictions are made illegal.
- D. The proposed bill prohibits discrimination "unless based upon a bona fide occupational qualification."

- E. Contrary to his own self-indictment before the Senate, the Minneapolis FEPC Commission does not consider Mr. Lindfors to be a violator of the provisions of the Minneapolis ordinance.

VII. Otto Christensen

- A. The testimony of Christensen's witnesses states that there is a fear of being burdened with a tremendous number of complaints, a fear which Mr. Christensen does nothing to alleviate. However in his own testimony he attempts to make much of the fact that if such a bill were passed only about four cases per month would be brought before the Commission. It is obvious that he is playing both ends against the middle.
- B. Christensen makes much of the fact that the law will compel the employer to hire a person he does not want. The law of course does not do that. The employer need hire no one, but if he does hire, he must hire on the basis of qualifications for the job, and this bill will encourage him to hire the best qualified person.
- C. The testimony of Mr. Christensen and his witnesses reflects the opinion of only some employers in the state. He has not been able to secure a single witness or a single organization that is not affiliated with the MEA to testify against the bill, much less any person whose job is affected by the bill. Informed employers are all in favor of the bill.
- D. Mr. Christensen makes much of the fact that the Twin Cities were awarded a Human Relations award by the National Conference of Christians and Jews in 1948. The MEA did nothing to assist in achieving this recognition and fails to recognize that it was based in a large part upon the successful operation of the Minneapolis Fair Employment Practices Ordinance.
- E. Mr. Christensen states that 44 states have introduced FEPC bills and 4 have passed them, and that in the South no state has had such a bill introduced because of the lack of a sponsor. The facts are that there are 13 southern states, and if Christensen's statement of 44 states is accurate, his statement about the non-introduction is inaccurate. Wisconsin and Indiana FEPC laws do not have enforcement powers and have not been effective in making any material gains in the attainment of increased employment opportunities for minority group workers. Based on this experience, the Attorney General of the state of Wisconsin, Mr. Fairchild, has publicly recommended the adoption by that state of a FEPC with enforcement powers. As a matter of fact FEPC has been considered in only 11 states exclusive those that have passed the measure. Mr. Christensen also states that Governor Youngdahl is the only Governor advocating FEPC.

It is obvious that in addition to be unfamiliar with many things, Mr. Christensen is unfamiliar with the programs and statements of Governor Duff of Pennsylvania; Governor Pastore of Rhode Island; Governor Williams of Michigan; and Governor Stevenson of Illinois, as well as others who are advocating FEPC legislation.

- F. Christensen quotes from a so-called employer of New York state named Lobatelli. The facts are that Lobatelli's letter was written in 1947 and his work is that of a private consultant. In other words it is in his interest to create employer apprehension of the FEPC law.
- G. Christensen states that all subversive groups favor FEPC. The facts are that there are many groups listed as subversive by the Attorney General of the United States, whose opposition to FEPC legislation is as vehement and ill informed as is Mr. Christensen's.

PERCENT OF EMPLOYERS AND WORKERS THAT WOULD BE COVERED BY FEP LEGISLATION IF
THE EXCLUSIONS WERE BASED ON THE FOLLOWING SIZES OF WORK FORCES.*

<u>Size of Work Force</u>	<u>% of Employers Excluded</u>	<u>% of Employers Covered</u>	<u>% of Workers Excluded</u>	<u>% of Workers Covered</u>
0-8	82	18	15.2	84.8
8-15	8.4	9.6	6.8	78
16-20	2.4	7.2	3	75
21-25	1.4	5.8	2.4	72.6
25 and over	5.8	0	72.6	0

*Source: Division of Employment Security, State of Minnesota, 1948, most recent comprehensive data available August, 1952.

MINNESOTA STATE SENATE VOTE ON FEPC

1949

The following State Senators stood for Senator Mullin's motion to pass the FEPC (Fair Employment Practices Bill).

NAME	DISTRICT	REPRESENTING COUNTY
Almen, A. L.	13	Lyon, Yellow Medicine
Andersen, Elmer	42	Ramsey
Anderson, Marvin H.	32	Hennepin
Bridgeman, H. A.	62	Beltrami Koochiching
Carr, H. M.	59	St. Louis
Duecke, Emmett	29	Hennepin
Feidt, Daniel	34	Hennepin
Grottum, B. E.	10	Jackson, Cottonwood
Hagen, Edward	24	Chippewa, Lac qui Parle
Johnson, C. Elmer	56	Chisago
Julkowski, Raymond	28	Hennepin
Larson, Norman	64	Norman, Mahnomen
Lofvegren, Clifford	47	Douglas, Pope
Masek, Joseph	39	Ramsey
Mayhood, Ralph	31	Hennepin
Mullin, Gerald	35	Hennepin
Nelsen, Ancher	22	McLeod
Novak, B. G.	38	Ramsey
O'Brien, George	52	Itasca, Cass
Peterson, Elmer	60	St. Louis
Rogers, Herbert	58	St. Louis
Rosenmeier, Gordon	53	Morrison, Crow Wing
Siegel, George	41	Ramsey
Simonson, J. A.	26	Meeker
Vukelich, Thomas	61	St. Louis
Wahlstrand, Harry	25	Kandiyohi, Swift
Wefald, Magnus	49	Clay, Wilkin
Welch, Thomas	27	Wright
Wright, Donald	30	Hennepin

The following State Senators stood against the FEPC bill.

NAME	DISTRICT	REPRESENTING COUNTY
Anderson, Ernest	51	Wadena, Todd
Baughman, Claude	16	Steele, Waseca
Burdick, Walter	4	Olmsted
Bushnell, Gordon	54	Carlton, Aitkin
Butler, Colvin	50	Otter Tail
Carey, David	7	Faribault
Carley, James	3	Wabasha
Dahle, C. A.	57	St. Louis, Cook
Davis, Milford	11	Nobles, Rock

(over)

NAME	DISTRICT	REPRESENTING COUNTY
Dennison, Sam	20	Dakota
Dernek, Leonard	2	Winona
Dietz, Wm. E.	17	Le Sueur
Dougherty, Frank	9	Martin, Watonwan
Goodhue, R. B.	18	Rice
Harrison, Harold	33	Hennepin
Irm, Val	8	Blue Earth
Johanson, A. R.	23	Big Stone
Johnson, John	1	Fillmore, Houston
Lauerman, Lea	25	Renville
Ledin, Andel	44	Anoka, Isanti
Lightner, Milton	20	Ramsey
Mitchel, C. C.	55	Kanabec, Mille Lacs
Myre, Helmer	6	Freeborn
Neumeier, Karl	43	Washington
Pedersen, Hans	12	Pipestone, Lincoln
Sinclair, Donald	67	Roseau, Kittson, Marshall
Sletvold, A. O.	63	Becker, Hubbard
Spokely, Julius	66	Polk
Sullivan, Henry	45	Benton, Stearns, Sherburne
Swenson, Oscar	15	Nicollet, Sibley
Wagener, Henry	21	Carver, Scott
Welle, Leo	46	Stearns
Wuertz, Werner	5	Dodge
Zwach, John M.	14	Brown, Redwood

The following State Senators did not stand for or against the measure.

NAME	DISTRICT	REPRESENTING COUNTY
Dahlquist, Wm.	65	Pennington, Clearwater
George, Grover	19	Goodhue
Peterson, Everett	37	Ramsey
Miller, Archie	36	Hennepin

This count is an unofficial tally taken by six competent persons from the Senate gallery on Friday, 25 March, 1949. The official vote was an unrecorded standing vote.

The above tally was taken while the Senators were standing.

Prepared and circulated by the Minnesota State Council for a Permanent FEPC, 616 New York Life Building, Minneapolis, Minnesota.

A REPLY
TO
OTTO F. CHRISTENSON'S COMMENTS
UPON
Proposed FAIR EMPLOYMENT PRACTICES LEGISLATION FOR MINNESOTA

ADDRESSED TO
THE MINNESOTA LEAGUE OF WOMEN VOTERS
BY THE
MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICE

January, 1950

Minneapolis, St. Paul, Duluth
December, 1949

To: The Officers and Members
Minnesota League of Women Voters

From: Minnesota Council For Fair Employment Practices

Fellow-Minnesotans:

For your convenience in studying our reply to Mr. Christenson's comments, we shall follow his general arrangement of topics. Like Mr. Christenson, we too fear brevity - not lest it betray us into unfairness toward the so-called minority groups, for our interest is not mainly centered in any one group, but in all the groups which make Minnesota.

Our fear is that, in our attempt to compress an admittedly complex subject, we fail to supply you with all the supporting material and references which you might wish to consult before reaching your own individual conclusions on the subject of the proposed legislation. May we say, in this connection, that inquiries concerning additional bibliographical references and sources may be addressed to Mrs. Arnold Karlins, Secretary, 2764 Drew Avenue South, Minneapolis 10, Minnesota, (WH - 6371); or to Professor Robert C. McClure, Chairman, University of Minnesota Law School, Minneapolis 14, Minnesota, (MA - 8177, Ext. 6302).

"First - What We Are To Deal With"

We take the common sense point of view which is traditional in American business: that he who earns more can spend more. We believe that an earned dollar is healthier for society than a relief dollar and that, therefore, a program which will help keep people off relief rolls - thereby reducing tax burdens - and increase their spending power will be good for all the people of the state.

We grant that some people believe themselves prejudiced against those who differ in race, religion, or national origin. We are convinced, however, that these beliefs are generally the result of thoughtless adherence to old notions, rather than of thoughtful study of modern science and society.

Since government in a democracy is only people - you and we and our neighbors - we regard laws as expressions of the people's will and, therefore, we contend that a law designed to prevent the thoughtless from carrying their individual prejudices into discriminatory employment practices is sign and symbol that the purposes set forth in the Preamble to our Constitution are as vital today as when the ink was still wet on the words:

"We the People of the United States in order to ... provide
for the general welfare ... do ordain and establish this
Constitution."

"Second - What Brings This Proposal of Legislation in the Late 1940's?"

We find it difficult to frame a reply to this question, not because the answer would embarrass us, but because the question does. We find it awkward to have a fellow-

citizen as: why we have come, after a century and a half, to a thoughtful consideration of ways and means by which to extend the promised opportunities of America to all our citizens!

We would rephrase the question and ask: why has it taken us so long? Since, however, we undertook to reply to Mr. Christenson, our answer is this: after fighting two wars in the name of democracy, many of our fellow-citizens have concluded that democracy, like charity, should begin at home.

The statement that southern white people want to get rid of the Negroes in the South and have urged them to move North is just the reverse of the truth. As a result of the hiring of Negro workers in defense plants during the war, and the enlistment of Negro soldiers in the Army, southern employers and house-holders were unable to secure workers or domestic servants at the same low wage rates that prevailed in the South before the war. The most serious criticism leveled by Southerners against the Federal government's programs for the employment of all workers in war jobs in accordance with their skills was that the South was being deprived of its abundant supply of labor. The pressure became so great that the War Manpower Commission was actually prevented, through local political pressures, from recruiting workers in some southern states for employment in industrial centers where they were urgently needed for war work.

(For the facts regarding the real attitude of most southern whites toward the northward migration of Negroes, League members can consult appropriate pages of Gunnar Myrdal, An American Dilemma, John Dollard, Class and Caste in a Southern Town, and W. J. Cash, Mind of the South.)

Christenson claims that such legislation might stimulate additional migration of Negroes into Minnesota and create employment problems. Negroes have lived in Minnesota since about 1825. The demand for fair employment practices legislation arose out of war-time need for full utilization of available man power. Such legislation concerns not only Negroes but all minorities. States adopting this type of law have not experienced an influx of Negroes or other groups, just as they have not, as shown below, suffered a business exodus.

No accurate current information on the immigration of people into any American state or city will be available until the census is taken in 1950. Estimates made by the United States Employment Service and other agencies indicate the continuing migration of Negro workers from agrarian to urban centers and from southern to northern and western communities. The basic factor is a relative surplus of labor in the South and a relative scarcity of labor in the North and West. Increased use of rayon and other synthetic fibers and increased mechanization in agriculture make it probable that the demand for labor in cotton fields will continuously decline. This economic pressure, together with the more favorable economic, social and educational opportunities in northern and western industrial centers appear to be the strong factors influencing this population movement. It seems likely that such a specific thing as the presence or absence of fair employment practice legislation in a particular city or state has little or nothing to do with this migration.

Specifically, there is no evidence whatever that the migration of Negroes and other minority workers into Minneapolis is proportionately greater than the similar movement into the adjoining city of St. Paul where no fair employment practice ordinance exists.

"Third - What Is the Purpose of This Type of Legislation ?"

The history of fair employment practice legislation has shown that, while the prospect of enactment sometimes brings cries of alarm from certain quarters - as it has done in the case of Mr. Christenson, experience with this type of law has completely dispelled the fears of the critics. Often this tendency to cry-before-one-is-hurt is the result of misinformation both as to the nature and the operations of fair employment practice statutes.

We maintain that the purpose of fair employment practice legislation is to protect all of our citizens against discrimination based upon race, religion, color or national origin, which may deny them the jobs for which they are best qualified. Such discrimination prevents the most effective utilization of the available labor force, and hence, lowers the production of goods and services. Such discrimination is un-American and undemocratic; it denies the equality proclaimed in the Declaration of Independence. It harms not only its victims but those who practice it by breeding poverty, disease, slums and crime; it is associated with low per capita income, thus limiting purchasing power and business volume; it depresses wages and creates divisions within labor. The existence of discrimination in the United States injures our standing in the eyes of the world and hampers our foreign policy.

Christenson claims that the purpose of this legislation is not to benefit minority groups or the state as a whole, but that it is to compel employment of minorities to the detriment of the majority. The law forbids discrimination. It confers no special favors, but simply insures equal treatment of minorities and majority. The commissions have held that the establishment of quotas requiring the employment of specific percentages of workers from different racial, religious and nationality groups is in itself discriminatory and is not in accordance with the purpose of the legislation. They say that these factors have nothing to do with ability to do the job and that the employer should pay no attention to them, one way or the other.

Only when a minority group worker has qualifications which are clearly superior to those of other applicants, would a commission require the hiring of that particular worker as a necessary means of satisfactorily adjusting the complaint. This is the policy which any intelligent employer would want to follow. It has been the experience of operating commissions that most employers do favor the policy of hiring on merit, but that some of them are prevented from doing so by their fear of prejudice on the part of customers or other employees. The commissions have been able to draw upon their experience to demonstrate to employers that such fears are unfounded when a qualified minority group applicant is hired.

Christenson charges that the support of a state law against discrimination in employment by both the Republican and Democratic-Farmer-Labor parties and by such political leaders as Bernhard LeVander, Orville Freeman, Gordon Rosenmeier, Gerald Mullin, Thomas Vukelich, Governor Luther W. Youngdahl and Senator Hubert H. Humphrey is because of the political pressure exerted by the members of minority groups.

This statement is false. The members of minority groups in the state constitute such a small proportion of the total population that they are of no political importance. The support of the law by the political leadership of both parties is based upon the conviction that it is sound policy and that it will benefit all the citizens of the state.

"Fourth - What the Proposed Legislation Provides."

The Minnesota Fair Employment Practices bill, as introduced at the last session of the state legislature, forbade discrimination in employment on the basis of the race, color, creed or national origin of the job applicant. It applied to labor organizations and employment agencies, as well as to employers. Non-profit charitable, religious, social and/or fraternal groups were specifically exempted from the coverage of the law.

Administration was entrusted to a director, a commission, and a board of review. Orders of the board were reviewable and enforceable in court. The only enforcement provisions contained in the bill lay in the power of the court to effect compliance with its own orders.

Legislation similar to that proposed for Minnesota already is in operation in the states of New York, New Jersey, Massachusetts, Connecticut, Washington, Oregon, New Mexico, and Rhode Island, and in the cities of Minneapolis and Philadelphia. Fair employment practice laws of a somewhat different character are in operation in the states of Wisconsin and Indiana. The state of Minnesota itself has a law prohibiting discrimination in employment on all public works contracts undertaken by the state or by any political subdivision thereof.

Two further points advanced by Christenson for consideration are:

1. "41 states and our National Congress have declined to pass this type of legislation notwithstanding the work of pressure groups to secure passage."

The National Congress has not yet had an opportunity either to accept or reject a Federal fair employment practice law due to the failure of the Senate to impose cloture upon debate.

As for the legislatures of 41 states declining such legislation - one could as well argue that all unmarried women are spinsters from choice: perhaps the sad fact is that they've never been asked.

As a matter of fact, during the latest sessions of the state legislatures, fair employment practice laws were introduced in 23 states, of which

- 2 represented strengthened existing laws
- 4 were enacted
- 17 died in committee or were defeated.

2. "There is no need for this legislation in Minnesota".

In June 1949, the Governor's Inter racial Commission, composed of leading citizens of Minnesota, found that not more than 10 per cent of the state's employers hired Negro workers, and concluded that the Negro finds it more difficult than the white worker to secure work or to be upgraded. To assist in the correction of this

inequality the Commission recommended the passage of legislation against discrimination in employment.

Other minorities in Minnesota are in a position similar to that of Negroes. A Minneapolis self-survey conducted by the Mayor's Council on Human Relations established that Jews, Negroes, Japanese-Americans and other minority group members were widely discriminated against by employers. The figures were based on employment records for December 1946, which was before the enactment of the Minneapolis Fair Employment Practice Ordinance. Of 523 Minneapolis firms from which reports were tabulated:

63% hired no Jews, Negroes, or Japanese-Americans

37% hired one or more Jews, Negroes and/or Japanese-Americans

The 37% who did hire minority workers may be sub-divided as follows in terms of the type of minority workers hired:

13% hired Jews as the only minority employed

5% hired Negroes as the only minority employed

2% hired Japanese-Americans as the only minority employed

9% hired Jews and Negroes

3% hired Jews and Japanese-Americans

1% hired Negroes and Japanese-Americans

3% hired Jews, Negroes and Japanese-Americans.

We are still in a period of relatively full employment. Even so, as already noted, serious disparities in employment of certain racial, religious and national groups currently prevail. Surely it is advisable to act now for the elimination of such inequalities before the possible occurrence of any employment decline that may cause the problem to enter the acute stage of race rioting which occurred in 26 cities after World War I.

Christenson says: "When you attempt to legislate morals you inevitably bring on resentment." Thieves and murderers may resent the laws which apply to them, but such laws do protect the average citizen against the loss of his life and property.

Christenson cites the award made to the Twin Cities by the National Conference of Christians and Jews in February 1949 as proof that there is no need for an FEPC law in Minnesota. The award was not made because the Twin Cities had solved all their problems, but because they were judged to have made the greatest progress in intergroup relations during 1948.

In that year all the agencies working in the field of human relations and civil rights carried on successful programs of education and action. In 1948, the Minneapolis Fair Employment Practice Commission received its first appropriation from the City Council. In cooperation with the Joint Committee for Employment Opportunity, the Urban League, the Minnesota Jewish Council and other agencies, it made substantial progress toward increasing employment opportunities for minority workers.

The Minnesota Employers' Association made no contribution whatever, through educational work or otherwise, to the progress upon which the award was based.

All of the organizations that did contribute to that progress are unanimous in urging the enactment of a state fair employment practice law.

Christenson relies on statistics of cases under the New York Fair Employment Practice Law to show a lack of need, both there and in Minnesota. The New York Commission's 1948 report discloses that, out of a total of 1041 cases, a violation was found in 28% of the instances and a general discriminatory pattern was disclosed and adjusted in 65% of the cases. If any comparison between New York and Minnesota is warranted, the figures show that fair employment practice legislation is useful in New York and would serve a need in Minnesota.

Moreover, the adjustment of one individual complaint often corrects discriminatory practices throughout an entire area or industry. For example, the first case brought before the Minneapolis Fair Employment Practice Commission was against a major Minneapolis department store. The satisfactory adjustment of this complaint initiated a series of events which ultimately led to the opening up of employment opportunities which had formerly been closed to minority workers in all the major department stores in the city and at all levels of training and skill.

The number of cases dealt with by the commissions is no measure of the value of this legislation or of the effectiveness of the commissions' work. It is not violation but compliance with the law that is the measure of its value. There is no question that this legislation has led to major changes in employment policy. Such changes have been made by a great number of employers, unions and employment agencies which have never been involved in any complaints of discrimination brought before the commissions.

Answers to Christenson's 15 Specific Points

Christenson enumerates fifteen items which he terms specific points and objections to FEPC legislation. Eliminating the innuendo and emotional appeal which he uses, objective analysis does not support his charges. Rather it substantiates the need for remedial legislation.

1. Christenson states the "some jobs require discrimination."

The only jobs that "require discrimination" are those in which race, religion, national origin or ancestry may be a bona fide occupational qualification, such as work in the field of religious education. All such jobs are exempted from coverage by the exemptions provided in the bill.

The further argument that people of different groups cannot work together in harmony and goodwill is simply the product of ignorance and prejudice. Wherever FEPC laws have been passed, the critics have found the ground pulled out from under their feet. The frequently predicted friction among employees of different racial and religious backgrounds has simply failed to develop - as personnel managers in all kinds of industries have attested. Customer resistance to Negro and other minority sales persons in department stores and elsewhere has been found to be non-existent. Firms that have given fair employment practices a fair trial have found their fears unjustified.

For example, Joseph J. Morrow, Personnel Manager of Pitney-Bowes, Inc., of Stamford, Connecticut, in discussing the Connecticut Act said recently: "If I were asked to select a single fact which impressed me more than anything else in carrying out our program of integrating the Negro worker, I would choose just this: The difficulties one expects to encounter in initiating such a program materialize to the extent of about five percent of what was anticipated. The 'Bogey Man' of race prejudice can hardly fail to disappear when it is really brought into the daylight and put to the test of normal day-by-day contacts."

Christenson implies that a state law against discrimination would drive business from the state, or would make it difficult to attract new concerns to the state. The available facts disprove this supposition. States and cities operating under FEPC laws have not lost business to other states. On January 5, 1949, four years after the establishment of the New York State Commission Against Discrimination, Governor Dewey stated in his message to the legislature: "Business activity and employment remain at unprecedented levels for times of peace. The number of business establishments has increased by 5% in the last year. Last year the personal income of our people aggregated some 27 million dollars - an all time high." The executive officers of the Minneapolis Chamber of Commerce have stated that no case has come to their attention in which the existence of the Minneapolis Fair Employment Practice Ordinance has even been discussed by a business firm in connection with a decision to either abandon or establish a business enterprise in Minneapolis.

Christenson states that the canning industries in the state found it necessary to segregate Mexican nationals, Puerto Ricans, Jamaicans, Bahamans, and others. He says that certain races cannot get along with certain others.

Of course, it is true that intergroup conflicts may result when people from different groups, and perhaps having different languages and cultures, are prevented by segregation from becoming acquainted with each other as individuals. Furthermore, some unscrupulous employers may find it profitable to promote intergroup conflicts by playing one group against another to hold down wage rates. For example, they may say to a group of Mexican Americans: "If you are not willing to accept the wages and working conditions that we offer, we'll fire you and bring in some people from Jamaica." This kind of practice not only creates intergroup conflicts but tends to reduce the wages and purchasing power of workers in the entire community and lowers the economic and social standards of the people as a whole.

An effective state fair employment practice commission would be of great positive assistance to honest and well-intentioned employers in helping them to solve any conflicts which might develop between workers who might speak different languages and have different cultural backgrounds. Furthermore, the opportunity for all the workers in the area to find employment and to receive wages in accordance with the value of their labor would tend to raise the living standards and the economic opportunities for all the people of the community.

3. ~~It is charged that this bill "will encourage complaints no matter how unjustified."~~

2. Christenson states that this bill "would subject employers to damaging consequences from unfavorable publicity whether or not deserved."

The actual operating record of the commissions shows that there is no foundation for this charge. Every case is handled without publicity as a matter of established policy. No employer has ever been subjected to unfavorable publicity by a fair employment practice commission.

All of the laws provide for a public hearing as a device for adjusting a complaint if conciliation fails. Only one such hearing has been held to date. It was scheduled by the New York State Commission Against Discrimination in October, 1949, after discrimination had been clearly established and the problem could not be solved by conciliation. A few days before the scheduled hearing, the party charged with discrimination agreed to make a satisfactory adjustment. Therefore, the hearing itself was not concerned with the charge of discrimination, but only the company's proposal for settlement and the Commission's acceptance of it.

3. It is charged that this bill "will encourage complaints no matter how unjustified."

On the contrary, commissions dismiss groundless complaints on their own initiative without formal proceedings and before there is any contact with the employer. As Christenson himself stated in an earlier section, the number of individual complaints of discrimination has not been excessive.

The commissions protect employers against unfounded charges of discrimination. In about 25% of the cases in Minneapolis and approximately the same percentage in New York state, the result of investigation has enabled the commission to assure the complainant that no discrimination has been practiced. Both complainants and parties charged agree that it has been of great value to them to have an impartial agency investigate complaints and clear the air of suspicions and misunderstandings. Thus, the commissions have operated to ease tensions and to build improved relations between the members of different racial, religious and nationality groups.

4. Christenson states that the bill "fails to provide any protection or recourse against false complaints except that the complaint be dismissed."

This statement is correct.

5. It is stated that this bill "requires employers to hire people they have first declined to hire and to pay them back wages which would affect the authority and efficiency and morale and total effectiveness of any business organization where it occurred."

This provision has existed in other labor practice legislation since 1935. The power has not been abused nor has the employer's authority or influence suffered. Christenson has not cited, and cannot cite, a single case in which the above results have followed from action by any fair employment practice commission. The fact is that the feared difficulties simply have not materialized.

After two years of experience with the Massachusetts law, H. D. Hodgkinson, president of the Boston Retail Trade Board, stated: "As a business man, I am in favor of the Fair Employment Practices Act insofar as its administration in Massachusetts is concerned. Great difficulty and trouble was predicted during the discussions prior to the passage of the Massachusetts law and those fears have not materialized."

R. T. Barker, superintendent of personnel administration, Western Electric Company, Inc., New York, has this to say: "It is my own opinion that the administration of the Fair Employment Practice Law in the states of New York and New Jersey has been fair and reasonable and has not entailed any undue hardship on employers who are trying to do a conscientious job. We have not experienced any difficulty in meeting the requirements of these laws."

6. It is charged that the bill "will subject employers to public hearings and legal prosecution for acts which might be subjected to a variety of interpretations or judged on the basis of intangible factors."

Christenson contends that it is impossible to prove discriminatory practices in employment. The opposite is true. Discrimination can be proved by the acts and statements of persons against whom a complaint is lodged. In many cases discrimination is flagrant and revealed by union contracts, newspaper advertisements, or discriminatory job orders. In other cases, an employer's pattern of rejections or statements made to personnel officers often indicates discrimination. It is no more difficult to prove discrimination in employment than to prove the violation of any other law in which the intent of the violator is a matter of importance.

The commissions have no power to impose penalties; these could be imposed only by the courts after reviewing the facts. It should be emphasized that only one public hearing has ever been held and no cases have been taken to court by any commission to date. All of them have been adjusted by conference and conciliation.

7. The claim is made that this bill "will encourage boycotts and picketing."

The existence of an impartial agency to investigate and adjust complaints and charges of discrimination reduces the probability that the members of an aggrieved group will feel it necessary to resort to such practices. There is no case on record of boycotting or picketing being used in connection with any complaint handled by a commission.

8. The charge is made that FEPC "opens the door to blackmail, boycotting and picketing practices with no recourse".

We suppose that any law violator might be tempted to resort to bribery to avoid prosecution. However, there is no evidence that any such bribe has either been offered or accepted.

Furthermore, even in cases where discrimination has been clearly proved, the commissions have not sought to invoke penalties, but have simply worked to eliminate the discriminatory practice. Therefore, there is little reason for even a dishonest employer to resort to the practice of bribery which Christenson suggests. We believe that responsible employers will resent the implications of Christenson's statement on this point.

9. The charge is made that this bill "accentuates collateral social problems."

These problems are poverty, ignorance, disease, juvenile delinquency, and crime. Breaking the vicious circle by providing all workers with an opportunity to earn incomes in accordance with their ability and initiative will help to solve and not to accentuate these social problems.

Under this heading, Christenson argues that education, rather than legislation, is the appropriate remedy. The President's Committee on Civil Rights states "We believe this argument misses the point, and the choice it puts between legislation and education as to the means of improving civil rights is an unnecessary one. In our opinion, both approaches to the goal are valid, and are, moreover, essential to each other."

The kind of education that changes attitudes of prejudice is that which comes about when, on a normal, everyday basis, workers come to know the members of other racial, religious, and nationality groups who are like themselves in terms of education, training, and skill. It is this kind of education that is accomplished by fair employment practice legislation and this is the process through which good human relations will be established among all of the peoples of America and the world.

10. Christenson says that "this type of legislation develops heretofore unknown prejudices."

There is no evidence to substantiate this allegation.

11. Christenson charges that "this bill creates a feeling of antagonism among persons of different races, colors and religions."

In actual practice, the commissions have not found strong general feelings of prejudice which would cause people to be unwilling to work beside the members of other racial, religious and nationality groups. They have found instead ignorance and apathy and misunderstanding. The legislation has proved to be a very appropriate and effective instrument with which to attack these problems. The effect of bringing people of different groups together in ordinary work situations has served to eliminate prejudice rather than to create antagonism.

12. Christenson asks "What emergency prevails in Minnesota that warrants such treatment of our employers and that requires the demanding of passage of such a law."

This question is full of false implications. It implies that this legislation would injure employers. It implies further that the commissions function as punitive bodies rather than agencies of conciliation. Neither of these implications is true.

Experience has shown that such laws impose no hardships upon employers but simply assist them to eliminate from consideration factors of race, religion and nationality which have nothing to do with the capacity of a worker to perform a job.

W. P. Morin, personnel director of the Hat Corporation of America, South Norwalk, Connecticut, states: "Since the enactment of the Fair Employment Practice Act for the State of Connecticut, I have found that this law in no way interfered with our employment practices. . . I think that many firms thought that it would interfere with the operation of their policy covering hiring and promotions but we received such a clear interpretation of the act that we saw nothing in it that would present any difficulties."

The most important effect of the establishment of the commissions has been to cause employers to review their employment practices. When they do, they inevitably conclude that employment on merit is the only sound policy. When they examine the record, they find that other firms have employed minority

workers without any serious objections from other employees or from customers. Thus, any fears they may have had are removed and the employers reach the conclusion that the practice of hiring without discrimination is of as great a benefit to them as it is to minority workers and to the community as a whole.

13. Christenson charges that "FEPC legislation is a step toward the 'police state'."

Christenson states further that "this type of legislation is the main plank of the Communist Platform . . . Every piece of legislation that gives power to the state to control acts of individuals, taking away their personal freedom in any way, is a step nearer to totalitarianism. FEPC legislation is geared to the purpose of Communism. It is strictly Marxist in nature, being based upon the recognition of class distinction. It is class legislation."

Fortunately for the citizens of America, the Communist party has no prior claim to the conviction that all men are created equal and are endowed with certain unalienable rights. A fair employment practice law is one of the basic steps in making effective the guarantee of civil rights set forth in our Constitution.

The first state to enact this legislation was New York under the leadership of Republican Governor Thomas E. Dewey. In the other seven states where such laws have now been adopted, whatever Communist support there may have been has been a liability rather than an asset in securing passage of the law.

This legislation at both the state and national level has been recommended by the President's Committee on Civil Rights under the chairmanship of Charles E. Wilson, President of the General Electric Corporation. It was endorsed in Minnesota by the state conventions of both the Republican and Democratic-Farmer-Labor parties and had the active personal support of Governor Luther Youngdahl and Senator Hubert H. Humphrey.

The statements quoted in the last section of this report from thoughtful, responsible and informed business and civic leaders who testified at the last session of the legislature in support of this bill show that any implications that this proposal is Communistic in origin, in effect, or in purpose, is simply a false statement designed to arouse emotional antagonism to the proposal.

14. Christenson states "this law regulates employment agencies to the injury of employers."

The law simply requires both employers and employment agencies to examine the real qualifications of workers for employment, and to ignore the irrelevant factors of race, religion, national origin and ancestry.

The example given by Christenson in which an employer takes into account age, experience, appearance, personality, and the judgement of an older employee of a firm in selecting a book-keeper, does not represent unfair discrimination under any fair employment practice law.

15. Christenson claims that "the law is discriminatory in itself."

Christenson says that only the members of so-called minority groups can file complaints. This is absolutely untrue. Within the experience of operating commissions, complaints have been accepted and adjusted from people who believe they have been discriminated against because they are Catholics and from people who thought they had been discriminated against because they are not Catholics; likewise, from people who suffer discrimination because they are Jews and from those who believe they had been excluded from consideration because they are not Jews. The same is true for the members of different racial and nationality groups. Any person who feels he has been refused full consideration in connection with employment because of his race, religion or national origin, whatever that may be, has the same protection as does every other individual against discrimination under the law.

The law confers no special privilege on minority workers, but seeks to assure them only the same consideration as every other applicant for employment. The commissions have been just as effective in protecting employers against unfounded charges of discrimination as they have been in adjusting discriminatory practices when they have been found. There is no excuse whatever for an employer to feel that he must give special consideration to a minority group applicant because of fear that he will be treated unfairly by a fair employment practice commission.

CONCLUSION

The best answer to the arguments of the opponents is that, wherever fair employment practice legislation has been enacted, it has worked.

On March 28, 1949, the New York Herald Tribune bore witness to the effectiveness of New York's fair employment practices law:

"Legislation against discrimination in employment is practical and successful. This is common knowledge in New York; the evidence is everywhere plain. There was serious doubt when our State Commission against Discrimination began operation in 1945, but the subsequent record is one of expanding progress. The achievements have been many and precise, and the New York system is so well established and recognized that it is now taken as a model in other forward-looking cities and states.

"What is our secret of success? First, there is determination firmly and simply expressed in law. Second, the commission gets results by 'conference, conciliation and persuasion.' Third, our law has teeth. Up to now, the cease-and-desist sanctions of court order have never been sought, which is a tribute to the commission's skillful and fore-handed administration. The necessity for crack-down is avoided by developing a community atmosphere that is progressively favorable. We progress by conscious education; the whole air is cooperation instead of conflict. And this is the triumph of intelligent legislation, the proof that a broad and imperative aim can be harmoniously translated into happy result."

THE POSITION OF BUSINESS AND CIVIC LEADERS ON THE PROPOSED FEPC BILL

You have been told that the employers of Minnesota are opposed to a state FEPC bill. That is not true. The 100 letters from employers presented to the legislature by Otto Christenson were secured by intensive solicitation of the 1100 members of his organization. In securing these letters and in preparing his communication to the League of Women Voters, Christenson has spoken with complete disregard for, and in absolute contradiction to, the record of actual experience with the operation of fair employment practice commissions in the City of Minneapolis and Connecticut, Massachusetts, New York and New Jersey.

It was evident that the employers who wrote those letters and who appeared to testify against the bill had had absolutely no experience with fair employment practice commissions and were completely misinformed as to the actual record of their operations. If these employers were correctly informed as to the facts, we are confident that they would support the present bill.

Practical Minnesota businessmen who once had honest doubts about the value of a Fair Employment Practice Law have become enthusiastic supporters of such legislation after examining the record of the Minneapolis Fair Employment Practice Commission. Many of these informed employers joined in urging the enactment of state legislation last spring.

Bradshaw Mintener, vice-president and general counsel of Pillsbury Mills, addressed a letter to other employers over the state in which he said:

"After considerable thought and reflection, I have come to the conclusion that as a nation we cannot afford the luxury of having people within it who practice discrimination . . . I cannot see how we can ever realize our full measure of national economic well-being until every man and every woman is not only permitted, but encouraged, to work at whatever he can best do, regardless of his color, his religion or his social standing. . . I am confident that after you have given this matter the thought and consideration that it requires, we will be able to count you an ally in the task that faces us in making Fair Employment Practices a reality in the state of Minnesota."

Stuart W. Leck, president of the Leck Construction Company, wrote: "As a Minnesota employer, I endorse the Fair Employment Practice Bill. Action, not lip service, is needed if equality of opportunity is no longer to be denied some of our citizens solely because of their color or religion. . . I have carefully read and considered your bill. I have confidence that it will be sanely administered, thereby helping to correct present abuses and buttressing our republican form of government."

Both of these men had urged the City Council to delay action on the ordinance at the time it was enacted because they had serious doubts that such legislation was either necessary or desirable. W. H. Feldmann, president of Electric Machinery Manufacturing Company, had shared their misgivings. In explaining how the legislation had gained his support, he said, "I should like to express indorsement of

the bill to create a State Commission against discrimination in employment. While I have long been wholeheartedly for these objectives, I have had some misgivings in the past as to possible abuses in administration of such a law. However, the administration of the City of Minneapolis ordinance has worked exceedingly well because of the restraint and good judgment applied by the Commission. Under the provisions of your bill, it seems likely that equally intelligent administration will result. Certainly such legislation will more rapidly advance the elimination of the handicapping of employment opportunities due to prejudice. And the attainment of that objective warrants some risk."

One of the most significant statements in support of the proposed Fair Employment Practice Bill comes from Julius H. Barnes, president of the Barnes Shipbuilding Company, who has business interests in both Minnesota and New York. He served as president of the United States Chamber of Commerce for three terms and as chairman of the board for three years more. He appeared personally before the House Labor Committee and also submitted a written statement which said in part:

"I am glad to confirm to you that by study, observation, and conviction I feel that the proposed FEPC legislation . . . (is) entitled to public approval and public confidence.

"I put special weight on the philosophy that in a democracy the individual is the important factor, and fairness and equality of treatment the only atmosphere in which individual character can develop.

"The FEPC ideal appears to me to be one of even-handed justice and equal opportunity, assured by the authority of the government. The instinctive American respect for fair play would be strengthened and stimulated by such an attitude on the part of government itself."

The first chairman of the Minneapolis Commission was George M. Jensen, regional zone manager of the Nash-Kelvinator Corporation. He reported that: "A number of employers have expressed to me the conclusion that . . . the ill effects expected from the legislation have failed to develop. . . . It is my opinion that employers, employees, and citizens of our community at large, have benefited from the salutary effects of the ordinance. . . . Judging by our local experience . . . such legislation . . . at the state level . . . would prove of definite value to the citizenry of the state as a whole."

The trade extension manager of Coast-to-Coast Stores, York Langton, testified before the House Labor Committee both on the basis of his business experience and in his capacity as president of the Minnesota United Nations Association. He said: "The Minnesota United Nations Association strongly supports the Minnesota Fair Employment Practice Act. . . . This bill, if enacted into law, would give every person an opportunity to obtain employment without discrimination because of race, color, or religion.

"As a nation profoundly interested in peace, we must recognize that this important issue of doing away with discrimination is the foundation stone on which the temple of peace must rest."

The public relations director of General Mills, Abbott Washburn, serves as a member of the Minneapolis Fair Employment Practice Commission. He appeared

in person before the House Labor Committee. On the basis of his intimate knowledge, he concluded that the Commission's work "has resulted in extensive correction of discriminatory practices and has opened the gates of employment opportunity to many workers who previously found them closed. It has likewise protected many employers against unfair charges of discrimination."

The active support of the Minnesota Department of the American Legion was indicated by Nate V. Keller who testified in his capacity as chairman of the Legion's Employment Committee. He said: "The American Legion is very much interested in the FEPC; in fact, at every one of our past three state conventions, our convention committee . . . passed a resolution indorsing it . . . I would be very happy to contact by letter all the members of our state legislature advising them of the stand of the American Legion on this very important project."

The Democratic-Farmer-Labor Party has given its unanimous support to the State Fair Employment Practice Bill. The written testimony submitted by Orville L. Freeman, state chairman, included the following statement:

"At our state convention held at Brainerd, Minnesota, on June 15, 1948, the convention of some 1500 delegates, representing all counties in our state, unanimously adopted a clear and unequivocal position calling for the immediate establishment of a State Fair Employment Practice Commission with enforcement powers."

Bernhard W. LeVander, State Chairman of the Republican party of Minnesota, testified that: "the platform of the Republican Party adopted at the State Convention of September, 1948 . . . provides as follows: 'We recognize the need for the establishment of a permanent Fair Employment Practices Commission to eliminate discrimination because of race, color, religion or national origin, in private industry as well as in government work, including the National Guard, at the same time realizing that only education can permanently eliminate the deep-seated emotional prejudices which are the cause of discrimination.'

"The platform was passed unanimously by 1200 delegates representing all of Minnesota's 87 counties and representing the Republican Party of our state."

MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICE

EXECUTIVE BOARD

Officers

Chairman:	Robert C. McClure Minneapolis attorney and Associate Professor of Law
Ist. Vice Chairman:	Rev. Floyd Massey, Jr. Pastor, Pilgrim Baptist Church, St. Paul
2nd. Vice Chairman:	Julie Villaume State Chairwoman, Minn. Young Republican League
Treasurer:	Jonas G. Schwartz Minneapolis attorney
Secretary:	Mrs. Arnold Karlins Minneapolis Council of Jewish Women

Members of the Board

Edward V. Donahue
State Industrial Union Council, CIO

Frank Marzitelli
Minnesota Federation of Labor, AFL

Bradshaw Mintener
Vice-President and General Counsel, Pillsbury Mills
General Chairman, Minneapolis Community Self Survey
of Human Relations

MINNESOTA COUNCIL FOR FAIR EMPLOYMENT PRACTICE

MEMBER ORGANIZATIONS

Laundry Workers Local 183, AFL
Univ. Student Council of Religion
Twin City Youth Fellowship
Attucks=Brooks Post, Am. Legion
Mpls. League of Women Shoppers
State Council Am. Vets. Committee
Mpls. Br., Women's Intl. League for
Peace and Freedom
St. Paul Am. Vets. Comm. No. 1
United Labor Comm. for Human
Rights
Univ. Ch. American Vets. Comm.
Amer. Scandinavian Women's Club
Minn. Federation of Labor
United Citizens League
College of St. Catherine
University YWCA
Queen Esther Temple No. 2
Jewish Natl. Workers Alliance
Holsey Memorial C. M. E.
Mpls. Hadassah
Mpls. NAACP
Minnesota Jewish Council
Labor Lyceum College

Minneapolis Urban League
Mpls. Council of Church Women
Ist. Universalist Church, Social Action Comm.
Alpha Phi Alpha Fraternity
Delta Phi Omega Sorority
Salesmen's Club
Minn. State Council, Women's Intl. League
for Peace and Freedom
Electa Ch. No. 3
Am. Fed. State, County, Municipal
Employees
Am. Fed. State, County, Municipal
Employees, Local No. 9
ADA, Minn. State organization
ADA, Minneapolis chapter
Am. Vets. Committee, Mpls. chapter
Carleton College Student Assn., Civil
Rights Committee
Mpls. Committee on Racial Equality
State CIO Council
Mpls. Council of Jewish Women

COOPERATING ORGANIZATIONS

Women' Club
Minneapolis Jewish Federation
Disabled American Veterans
St. Thomas College Student Assn.
Women' League, Temple AARON
Redeemer Lutheran Church

Macalester College Christian Assn.
Pilgrim Baptist Church of Mpls.
Bureau of Catholic Charities
Federation of Catholic Mothers
Minn. Congregational Conference,
Social Action Committee

Minnesota Council of Churches

League of Women Voters of Minnesota
Room 406, 84 South Tenth Street
Minneapolis 2, Minnesota

DIGEST OF STATE F.E.P.C. LAWS

STATES

Minnesota*
Connecticut
Indiana
Massachusetts
New Jersey

New Mexico
New York
Oregon
Rhode Island
Washington
Wisconsin

DATE

MINNESOTA	*
Connecticut	1947
Indiana	1945
Massachusetts	1946
New Jersey	1945
New Mexico	1949
New York	1945
Oregon	1947
Rhode Island	1949
Washington	1949
Wisconsin	1945

RIGHT OF WORK

DECLARED TO BE

MINNESOTA	NOT DEFINED.
Connecticut	Not specified.
Indiana	Right and privilege.
Massachusetts	Right and privilege.
New Jersey	Civil Right.
New Mexico	Civil Right.
New York	Civil Right.
Oregon	
Rhode Island	Civil Right.
Washington	Civil Right.
Wisconsin	Not specified.

SUBJECT TO ACT

MINNESOTA	LABOR ORGANIZATIONS; EMPLOYERS EMPLOYING 25 OR MORE INDIVIDUALS; EMPLOYMENT AGENCIES.
Connecticut	Labor organizations; all enterprises conducted for profit; employment agencies.
Indiana	Labor organizations. All enterprises conducted for profit.
Massachusetts	Labor organizations; all enterprises conducted for profit and employing 6 or more; employment agencies; state agencies.
New Jersey	Labor organizations; all enterprises conducted for profit and employing 6 or more; employment agencies.
New Mexico	Labor organizations; all enterprises conducted for profit and employing 4 or more; state and its political and civil subdivisions; employment agencies; contracting agencies within the state.
New York	Labor organizations; all enterprises conducted for profit and employing 6 or more; employment agencies.
Oregon	Labor organizations; all enterprises conducted for profit and employing 6 or more; employment agencies.

* A proposed Minnesota law submitted by Committee on Legislation, Law School, University of Minnesota, 1950.

*SUBJECT TO ACT (Cont'd)

Rhode Island	Labor unions; all enterprises conducted for profit and employing 4 or more; employment agencies.
Washington	Labor unions; all enterprises conducted for profit and employing 8 or more; employment agencies.
Wisconsin	Labor organizations; all enterprises conducted for profit.

EXCLUDED FROM ACT

MINNESOTA	NON-PROFIT ENTERPRISES; INDIVIDUALS EMPLOYED BY PARENTS, SPOUSE OR CHILD; DOMESTIC SERVANTS.
Connecticut	Employers of less than 5.
Indiana	Non-profit enterprises. Persons employed by family. Domestic servants.
Massachusetts	Non-profit enterprises; employers of less than 6; persons employed by family; domestic servants.
New Jersey	Non-profit enterprises; employers of less than 6; persons employed by family; domestic servants.
New Mexico	Non-profit enterprises; employers of fewer than 4; family members employed by family; domestic servants.
New York	Non-profit enterprises; employers of less than 6; persons employed by family; domestic servants.
Oregon	Non-profit enterprises; employers of fewer than 6; family members employed by the family; domestic servants.
Rhode Island	Non-profit enterprises; employers of fewer than 4; family members employed by family; domestic servants.
Washington	Non-profit enterprises; employers of fewer than 8; family members employed by family; domestic servants.
Wisconsin	Non-profit enterprises; persons employed by family.

ILLEGAL PRACTICES

MINNESOTA	DISCRIMINATION BY A LABOR ORGANIZATION BECAUSE OF RACE, COLOR, CREED OR NATIONAL ORIGIN AS TO RIGHTS OR PRIVILEGES OF MEMBERSHIP; DISCRIMINATION BY EMPLOYERS IN HIRING, FIRING, COMPENSATION OR WORKING CONDITIONS; DISCRIMINATION BY EMPLOYMENT AGENCIES IN CLASSIFICATION AND REFERRAL; DISCRIMINATION BY EMPLOYERS, ETC., AGAINST ONE WHO ASSISTS OR ACTIVELY SUPPORTS THE ACT; TO PLACE ADVERTISEMENTS SPECIFYING OR INQUIRIES CONCERNING RACE, COLOR, CREED OR NATIONAL ORIGIN OF APPLICANTS FOR EMPLOYMENT OR MEMBERSHIP TO UNIONS OR ADMISSION TO TRAINING SCHOOLS OR CENTERS; WHEN AN EMPLOYER, ETC., TAKES OR RECORDS INFORMATION PERTAINING TO RACE, COLOR, CREED OR NATIONAL ORIGIN.
Connecticut	Discrimination by employers in hiring, firing, or working conditions; discrimination by labor organizations as to rights or privileges of membership; any form of discrimination against any individual because of his race, color, religious creed, national origin or ancestry; discrimination against persons filing complaints under the terms of this act.
Indiana	None defined.
Massachusetts	Discrimination by employers in hiring, firing, or working conditions; discrimination by labor organizations as to rights or privileges of membership; advertisements specifying or inquiries concerning race, creed, or national origin of applicants for employment; failure to post notice of this act; discrimination against persons filing complaints under the terms of this act.

ILLEGAL PRACTICES (Cont'd)

New Jersey	Discrimination by employers in hiring, firing or working conditions; discrimination by labor organizations as to rights or privileges of membership; advertisements specifying or inquiries concerning race, creed or national origin of applicants for employment; refusal of employees to work with members of minority group; discrimination against persons filing complaints under the terms of the act.
New Mexico	Discrimination by employers in hiring, firing, compensation or conditions of employment; discrimination by labor unions as to rights or privileges of membership; advertisements specifying or inquiries concerning race, color, creed or national origin of applicants for employment; discrimination against persons filing complaints under this act.
New York	Discrimination by employers in hiring, firing or working conditions; discrimination by labor organizations as to rights or privileges of membership; advertisements specifying or inquiries concerning race, creed or national origin of applicants for employment; refusal of employees to work with member of minority group; discrimination against persons filing complaints under the terms of this act.
Oregon	Discrimination by employers in hiring, firing, compensation or working conditions; discrimination by labor organizations as to rights or privileges of membership; advertisements specifying or inquiries concerning race, religion, color or national origin of applicants for employment; discrimination against persons filing complaints under the terms of this act.
Rhode Island	Discrimination by employers in hiring, firing, compensation or working conditions; discrimination by labor unions as to rights or privileges of membership; discrimination by employment agencies in classification and referral; discrimination against one filing complaints under the terms of this act.
Washington	Discrimination by employers in hiring, firing, compensation or working conditions; discrimination by labor unions as to rights or privileges of membership; discrimination by employment agencies in classification and referral; discrimination against one filing complaints under the terms of this act.
Wisconsin	

MAXIMUM PENALTY FOR VIOLATION

MINNESOTA	FAILURE OF EMPLOYER, ETC., TO POST NOTICE OF THIS LAW: SUBJECT TO \$100 FINE.
Connecticut	None provided.
Indiana	None defined.
Massachusetts	For unfair employment practice: 1 year and/or \$500 fine; for failure to post notice of passage of act: \$10-\$100 fine.
New Jersey	1 year and/or \$500 fine.
New Mexico	For failure to post notice of this act: \$100-\$500.
New York	1 year and/or \$500 fine.
Oregon	1 year and/or \$500 fine.
Rhode Island	
Washington	
Wisconsin	

ADMINISTERED BY

MINNESOTA

Connecticut

Indiana

Massachusetts

New Jersey

New Mexico

New York

Oregon

Rhode Island

Washington

Wisconsin

STATE COMMISSION AGAINST DISCRIMINATION - 5 MEMBERS KNOWN AS COMMISSIONERS.

Inter-racial Commission. 10 members with 5-year overlapping terms - 2 appointed each year.

Division of Labor. Commissioner of Labor plus 9-man Advisory Board (4 Senators, 4 Representatives, Lieutenant Gov.)

Fair Employment Practices Commission: 3 members.

Division of State Department of Education. Commissioner of Education plus 7 members.

New Mexico Fair Employment Practice Commission. 5 members.

State Commission Against Discrimination. 5 members.

Bureau of Labor and Advisory Committee of 7.

Commission composed of 5 members.

Washington State Board Against Discrimination in Employment. 5 members.

Industrial Commission. 7-man advisory committee representing labor, business and public interests.

APPOINTED BY

MINNESOTA

Connecticut

Indiana

Massachusetts

New Jersey

New Mexico

New York

Oregon

Rhode Island

Washington

Wisconsin

GOVERNOR.

Governor.

Governor.

Governor, with advice and consent of the Council.

Governor, with advice and consent of Senate.

Governor with advice and consent of Senate.

Governor with advice and consent of Senate.

Advisory Committee appointed by Governor.

Governor.

Governor.

Governor.

SALARY PER MEMBER

MINNESOTA

Connecticut

Indiana

Massachusetts

New Jersey

New Mexico

New York

Oregon

Rhode Island

Washington

Wisconsin

\$20 A DAY.

\$25 per diem when conducting hearings.

None. Necessary expenses.

\$4,000. Chairman - \$5,000. Necessary expenses.

None. Chairman - \$7,000. Necessary expenses.

\$10 per diem. Necessary expenses.

\$10,000 plus necessary expenses.

Necessary expenses of Advisory Committee.

Not more than \$2,500 a year and expenses necessarily incurred.

\$20 per diem while in session or on official business.

Necessary expenses.

None. Necessary expenses.

APPROPRIATION

MINNESOTA

Connecticut

Indiana

Massachusetts

New Jersey

New Mexico

New York

Oregon

Rhode Island

Washington

Wisconsin

NONE STATED.

\$25,000 annually.

\$15,000 annually.

None stated.

\$44,350.

None stated.

None stated.

None stated.

\$40,000.

\$25,000.

\$5,000 annually.

POWERS OF COMMISSION

MINNESOTA

RECEIVE, INVESTIGATE AND PASS UPON COMPLAINTS; MAINTAIN OFFICES; MEET AND FUNCTION AT ANY PLACE WITHIN THE STATE; APPOINT NECESSARY STAFF; HOLD HEARINGS; SUBPOENA WITNESSES; ADMINISTER OATHS; PROVIDE NECESSARY FUNDS FOR ADVISORY AGENCIES TO AID IN EFFECTUATING THE PURPOSES OF THIS ACT; DEVELOP EDUCATIONAL PROGRAMS; UTILIZE SERVICES OF ALL GOVERNMENT DEPARTMENTS AND OFFICES; ISSUE PUBLICATIONS INCLUDING A REPORT TO THE GOVERNOR EACH YEAR; CREATE ADVISORY AGENCIES AND CONCILIATION COUNCILS, LOCAL, REGIONAL OR STATE-WIDE.

Connecticut

Receive, initiate and investigate complaints; maintain offices; publish rules and regulations; appoint staff; conciliation; subpoena witnesses; conduct hearings; issue cease and desist orders; develop educational programs; recommend policies and make recommendations for elimination of prejudice; issue publications and reports; investigate discrimination in state agencies and suggest corrective measures.

Indiana

Receive and investigate complaints; initiate complaints; appoint staff; conciliation; recommend legislation and formulate plans for the elimination of prejudice; investigate discrimination in state agencies and recommend corrective legislation.

Massachusetts

Receive and investigate complaints; initiate complaints; maintain offices; meet and function at any place within the state; appoint staff; conciliation; subpoena witnesses; conduct hearings; issue cease and desist orders; develop educational programs; issue publications, including a yearly report.

New Jersey

Receive and investigate complaints; appoint staff; conciliation; subpoena witnesses; conduct hearings; issue cease and desist orders; develop educational programs; create advisory councils; maintain liason with local, state and federal agencies and officials concerned with matters relating to work of the Division; issue publications including a yearly report.

New Mexico

Receive, investigate and pass upon complaints; maintain offices; meet and function at any place within the state; appoint staff; adopt, promulgate, amend and rescind rules and regulations to effectuate the provisions of this act; subpoena witnesses; conduct hearings; issue cease and desist orders; take affirmative action, including (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization; create advisory and conciliation councils; formulate policies to effectuate purposes of this act; develop educational programs; accept contributions; issue publications including yearly report.

New York

Receive and investigate complaints; maintain offices. Meet and function at any place within the state. Appoint staff; conciliation. Subpeona witnesses. Conduct hearings; issue cease and desist orders; develop educational programs; create advisory councils; utilize services of all government departments and offices; issue publications including a yearly report.

POWERS OF COMMISSION (Cont'd)

Oregon	Bureau of Labor - Commissioner of Labor may receive and investigate complaints; employ necessary personnel; conciliation; conduct hearings; issue cease and desist orders. Advisory Committee - Meet and function at any place within the state; study discrimination and formulate plans for its elimination; cooperate with and furnish technical assistance to Commissioner of Labor, employers and others; recommend procedure, plans and legislation to the Governor and legislature; issue publications including its reports.
Rhode Island	Receive and investigate and pass upon complaints; maintain offices; meet and function at any place within the state; formulate policies to effect purposes of this act; appoint staff; adopt, promulgate, amend and rescind rules and regulations to carry out the provisions of this act; subpoena witnesses; conduct hearings; create advisory agencies and conciliation councils; utilize services of all voluntary and uncompensated organizations; report to governor not less than once a year.
Washington	Receive and investigate and pass upon complaints; maintain offices; meet and function at any place within the state; formulate policies to effect purposes of this act; appoint staff; adopt, promulgate, amend and rescind rules and regulations to carry out provisions of this act; subpoena witnesses; conduct hearings; create advisory councils and conciliation councils; utilize services of all governmental departments and agencies; make technical studies; issue publications including twice yearly reports.
Wisconsin	Receive and investigate complaints; subpoena witnesses; conduct hearings; publicize findings; recommend legislation and formulate plans for the elimination of prejudice; issue publications.

REVIEW AND ENFORCEMENT

MINNESOTA	JUDICIAL REVIEW. DISTRICT COURT HAS POWER TO ISSUE ORDERS OF COMPLIANCE.
Connecticut	Judicial review and enforcement.
Indiana	None defined.
Massachusetts	Judicial review and enforcement.
New Jersey	Judicial review and enforcement.
New Mexico	Judicial review upon petition of complainant, intervener, or respondent; court may consider matter solely upon transcript or order trial de novo. Judicial enforcement.
New York	Judicial review and enforcement.
Oregon	Judicial review on application of aggrieved party by a trial de novo. Enforcement - Mandamus, injunction or suits in equity to compel specific performance.
Rhode Island	Judicial review upon petition of respondent. Enforcement - Injunction or other relief.
Washington	Judicial review upon petition of respondent (except when political or civil subdivision of state is respondent). Enforcement - Injunction or other relief (except when political or civil subdivision of state is respondent). Governor shall enforce orders against political or civil subdivision of state.
Wisconsin	

PROCEDURE

MINNESOTA

- 1) FILING OF THE COMPLAINT WITH THE COMMISSION WITHIN 90 DAYS AFTER ALLEGED ACT OF DISCRIMINATION.
- 2) INVESTIGATION BY ONE OF THE COMMISSIONERS WITH ASSISTANCE OF THE COMMISSION STAFF.
- 3) CONFERENCE, CONCILIATION AND PERSUASION.
- 4) IN CASE OF FAILURE, PUBLIC HEARING, COMMENCEMENT AND NOTICE.
- 5) FINDINGS AND ORDERS OF THE COMMISSION.
- 6) JUDICIAL REVIEW AND ENFORCEMENT. THE JURISDICTION OF THE DISTRICT COURT BEING EXCLUSIVE, ITS JUDGMENT AND ORDER FINAL; SUBJECT TO REVIEW BY THE SUPREME COURT.

* * *

DISCUSSION OUTLINE

CIVIL RIGHTS IN MINNESOTA

- I. The following excerpts from basic American documents should assist you in studying the Historical Development of Civil Rights:

Declaration of Independence

Signed by members of Congress on and after August 2, 1776

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

Bill of Rights (Ten original Amendments in force Dec. 15, 1791)

In the preamble to the resolution offering the proposed amendments, Congress said: "The conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the government will best insure the beneficent ends of its institution, be it resolved," etc.

- Art. I Religious Establishment Prohibited. Freedom of Speech, of the Press, and Right to Petition.
- Art. II Right to Keep and Bear Arms.
- Art. III No Soldier to be Quartered in any House. Unless, etc.
- Art. IV Right of Seizure Regulated.
- Art. V Provisions concerning Prosecution, Trial and Punishment. Property not to be taken for Public Use Without Compensation.
- Art. VI Right to Speedy Trial, Witnesses, etc.
- Art. VII Right of Trial by Jury.
- Art. VIII Excessive Bail or Fines and Cruel Punishment Prohibited.
- Art. IX Rule of Construction of Constitution.
- Art. X Rights of States Under Constitution.

The Reconstruction Amendments

The 13th, 14th and 15th Amendments to the Constitution are commonly known as the Reconstruction Amendments, inasmuch as they followed the Civil War, and were drafted by Republicans who were bent on imposing their own policy of reconstruction on the South. Post-bellum legislatures there - Mississippi, South Carolina, Georgia, for example - had set up laws which, it was charged, were contrived to perpetuate Negro slavery under other names.

Art. XIII Slavery Abolished.

Art. XIV Citizenship Rights Not to be Abridged.

Art. XV Equal Rights for White and Colored Citizens.

The 19th Amendment: Nationwide Suffrage to Women

1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.
2. Congress shall have the power, by appropriate legislation, to enforce the provisions of this article.

The Four Freedoms

President Roosevelt, in an address to Congress (Jan. 6, 1941), said:
 "In the future days, which we seek to make secure, we look forward for a world founded upon four essential human freedoms.

"The first is freedom of speech and expression-everywhere in the world.

"The second is freedom of every person to worship God in his own way-everywhere in the world.

"The third is freedom from want - which, translated into world terms, means economic understandings which will secure to every nation a healthy, peaceful life for its inhabitants-everywhere in the world.

"The fourth is freedom from fear - which translated into world terms, means a worldwide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of aggression against any neighbor - anywhere in the world."

United Nations Human Rights Declaration

The United Nations General Assembly, sitting in Paris, adopted (Dec. 10, 1948) a universal Declaration of Human Rights. The measure was designed chiefly to protect racial minorities and natives of non-self-governing territories from persecution by dominating powers.

- II. "To Secure These Rights" is a comprehensive report of the President's Committee on Civil Rights and merits your most careful study. It is the hope of the state board that you will use the report as your text for study. No attempt to analyze the report will be made in this outline. As you know it is the policy of the League to explore the pros and cons so that when you are called upon to take action you will be prepared to do so.

Report of the President's Committee on Civil Rights - 1947

Sections of the Report

1. Right to safety and security of Person
2. Right to Citizenship and its Privileges
3. Right to Freedom of Conscience and Expression
4. Equality of Opportunity
 - General
 - Equality of Opportunity in Education
 - Equality of Opportunity in Housing
 - Equality of Opportunity in Employment
 - Equality of Opportunity in Health and Welfare
 - Equality of Opportunity in Public Accommodations

Minnesota Equal Rights Law:

"No person shall be excluded, on account of race, color, national origin or religion, from full and equal enjoyment of any accomodation, advantage or privilege furnished by public conveyances, theatres or by hotels, barber shops, saloons, restaurants or other places of refreshments, entertainment or accomodations"

Reports of the Governor's Interracial Commission of Minnesota:

The Negro Worker in Minnesota: A report to Governor Thye by the Governor's Interracial Commission March 10, 1945. An effort to secure accurate and factual answers to four questions:

1. In Minnesota, what is the Negro's opportunity for securing employment and for being upgraded if qualified?
2. If the Negro is discriminated against in regards to jobs, what types of persons keep him from working?
3. If various groups discriminate against the Negro, what is the merit of the reasons which they cite to justify their actions?
4. Is there a basis for hoping that a constructive change can be effected within Minnesota?

The Negro and His Home in Minnesota: Report to Governor Youngdahl June 1, 1947. The material is presented under seven chapter headings:

1. Where in Minnesota Do the Negroes Live?
2. Are the Negroes Restricted to Segregated Areas?
3. What is the Condition of the Negro's House?
4. What Does the Negro Pay For His House?
5. What is the White Minnesotan's Attitude Toward the Negro's Residence?
6. What Practices Perpetuate Segregation of the Negro?
7. The Future and the Negro's Home.

The Negro Worker's Progress in Minnesota: Report to Governor Youngdahl, June, 1949. This is an attempt to answer the following four questions:

1. What is the Negro's opportunity for securing employment in Minnesota?
2. Who prevent Negroes from working in Minnesota and why?
3. How valid are the reasons given for not employing Negro workers?
4. Can equality of opportunity be realized in Minnesota?

The Mexican in Minnesota: Report to Governor Youngdahl, Aug. 15, 1948. The information gathered by the Commission is presented in this report under seven chapter headings:

1. The Mexican Comes to Minnesota
2. The Mexican and His Job
3. The Mexican's House and Family
4. Health, Delinquency and Dependency Upon Relief
5. Educating the Mexican
6. The Legal Status of the Mexican
7. The Mexican and His Future in Minnesota

The Indian in Minnesota: Report to Governor Youngdahl, April 1, 1947. A factual study of the historical and social forces which have influenced the lives of the Indian - with a final chapter devoted to "some inevitable conclusions":

1. The Indian is an asset to the state of Minnesota. The Indian population is proportionally more youthful than the general population and it is increasing. It is healthy and it possesses capacities and skills which can be used.
2. Specific and constructive measures should be taken to abolish reservations.
3. The State of Minnesota, through the proper agencies, might try to encourage those private industries that could use the Indian's skills to establish branches near the localities where Indians reside.
4. The Minnesota Department of Education might give serious consideration to the possibility of providing through their department vocational counselors.
5. In view of the history of dependency amongst the Indian population, the need of skilled child welfare services, and the confusing pattern of existing laws, it is recommended that consideration be given to the possibility of providing all social services on the same basis that health services and education are now provided.

Another Indian study is now ready for the printers and may be available by the first of the year.

Fair Employment Practices Commission

A few states have FEPC legislation, laws against discrimination in private employment. The New York, New Jersey, Massachusetts and Connecticut statutes have strong enforcement provisions. In general, the statutes in these four states make it unlawful for employers to discriminate in hiring, firing or conditions of employment, or for labor unions to exclude, expel or discriminate because of race, color, creed or national origin. They also prohibit the use of discriminatory help-wanted ads and job applications by employers and employment agencies. State commissions are empowered to investigate complaints, to hold hearings, to attempt to conciliate, to issue cease-and-desist order and, finally, to seek court enforcement of these orders. Indiana and Wisconsin have anti-discrimination statutes without enforcement provisions. The commissions in these two states serve, therefore, as educational and advisory agencies.

The FEPC bill proposed and defeated in the last session of the Minnesota legislature was broadly modelled upon legislation which has been in effect in New York and New Jersey for two years and in Massachusetts since April, 1946. The Minnesota bill was prepared at the request of Governor Youngdahl in the office of the Attorney General and in collaboration with the Governor's Interracial Commission, appointed by Governor Thye in 1943. This measure failed to pass due largely to the efforts of the Minnesota Employers' Association. Individual employers speaking for themselves or their businesses supported the FEPC bill, so there was definite indication that not all employers agree on this proposition.

A few cities, among them Chicago, Minneapolis, New York and Cincinnati, have enacted ordinances designed to prevent discrimination in employment practices. These vary greatly in scope. Some are directed solely at municipal employment; others apply to private employers having contracts with the city and at least one covers labor unions in addition to public and private employers. Some carry fines and imprisonment for violators while others with no sanctions or enforcement provisions, are little more than policy statements.

Reports of the Minneapolis FEPC are available to you. The office address is 407-A City Hall.

Results of Minneapolis League of Women Voters Questionnaire to the membership on Minority Problems: March, 1946.

1. Will you support a program of local action against discrimination?

Yes	94.7%
No	4.2%
No Opinion	1.1%

2. Are you in favor of the League's cooperating with other organizations in a project of assuring local department store managers that League members would be glad to see all races and nationalities included among their employees?

Yes	92.2%
No	4.6%
No Opinion	3.2%

3. Would you continue to patronize a retail store employing Negro clerks to wait on retail trade?

Yes	96.8%
No	2.1%
No Opinion	1.1%

4. Will you take part in a study of local problems of minority groups and discrimination in local government?

Yes	85.4%
No	5.7%
No Opinion	8.9%

* * *

BIBLIOGRAPHY

American Council on Race Relations, FACTS ABOUT JAPANESE AMERICANS, 4901 Ellis Avenue, Chicago 15, Ill., 50¢.

McGill, Ralph, "CIVIL RIGHTS FOR THE NEGRO", Atlantic Monthly, November, 1949, pp. 64-66.

National Committee on Segregation in the Nation's Capitol, SEGREGATION IN WASHINGTON, 4901 Ellis Ave., Chicago 15, Ill., 25¢.

Town Meeting of the Air, SHOULD THE PRESIDENT'S CIVIL RIGHTS PROGRAM BE ADOPTED? Town Hall, Inc., New York 18, N. Y., 10¢.

University of Chicago Round Table, SHOULD WE ADOPT PRESIDENT TRUMAN'S CIVIL RIGHTS PROGRAM?, 10¢.

A comprehensive bibliography on various phases of civil rights is available from the state office for 3¢.

The opportunity for full use of every worker's highest skill, without discrimination because of race, creed, color or national origin, is as important to the welfare of the community as it is to the individual himself.

Your help is needed!

Success in overcoming discrimination requires the cooperation of everyone . . . business concerns, labor unions, employment agencies, workers and customers. You are invited and urged to cooperate with the commission and to use its services. Write or visit . . .

City of Minneapolis

FAIR EMPLOYMENT PRACTICE COMMISSION

407-A Minneapolis City Hall, Minneapolis 15, Minnesota

Telephone: Lincoln 1803

Commission Members

Chairman AMOS S. DEINARD
RAYMOND W. CANNON
HOWARD F. FORTIER
LAWRENCE E. KELLEY
ABBOTT WASHBURN

Executive Director
WILFRED C. LELAND, JR.

What F E P C means to you



City of Minneapolis

FAIR EMPLOYMENT PRACTICE COMMISSION



Minneapolis takes action

To safeguard freedom of opportunity, Minneapolis adopted a Fair Employment Practice Ordinance on February 5, 1947. An FEPC was established to administer the law . . . the first commission of its kind to be established by any city in the country. A pioneering step in human relations!

How the Commission works

Five Minneapolis citizens serve as members of the commission without pay. A paid executive director, with offices in the City Hall, investigates and adjusts complaints. The commission has been successful in solving most of the problems involved in individual complaints that have been brought before it. The very existence of the ordinance and of the commission has focused the attention of employers and union leaders on their employment policies. This has resulted in extensive correction of discriminatory practices and has opened the gates of employment opportunity to many workers who previously had found them closed. It has likewise protected many employers against unfair charges of discrimination.

Handling of complaints

The FEPC ordinance covers relations between workers and employers or prospective employers, labor unions and employment agencies. If any individual believes he has been discriminated against in hiring, promotion, wage payments, or in other terms or conditions of employment, he may file a complaint with the commission. The executive director then discusses the problem with the person against whom the complaint was made. If he is unable to secure immediate adjustment, he presents the case to the members of the commission.



Conferences and hearings

The commission arranges a private meeting with the parties concerned. Together, they try to work out a fair employment policy and overcome whatever barriers may stand in its way. If these meetings fail, the commission may hold a public hearing in which both parties are invited to state their case. During the first two years of its existence the commission did not find a public hearing necessary.

Penalties and sanctions

Only if all conciliation methods fail is the commission required to recommend the case to the City Attorney for prosecution. A person

found by the court to have violated the ordinance is guilty of a misdemeanor. He may be fined up to \$100 or imprisoned up to ninety days. During the first two years after adoption of the ordinance, no cases were taken to court in Minneapolis. All complaints were adjusted by the commission.

Service to employers

Many employers are willing to follow a fair employment policy but fear their customers or employees may not like it. The members and director of the commission stand ready at all times to confer with customers or employees to explain the importance to them and to the community of eliminating practices of discrimination. The commission is also glad to review application forms for employers to make certain that they are in compliance with that provision of the ordinance which prohibits questions concerning race, creed, color, national origin or ancestry.



Service to labor unions

Commission members also stand ready to work with union officials, speak at union meetings, etc., to help eliminate any discrimination that may exist in labor organizations. The director is prepared, also, to talk individually with union members who raise objections and explain the importance to them, to the union and to the community of eliminating discriminatory practices.

Board of Directors

Mrs. C. A. Boline	Battle Lake
Roy E. Burt	Anoka
Raymond Canon	Minneapolis
Mrs. W. G. Crowley	St. James
Mrs. Alice Dreschler	Minneapolis
Dr. E. E. Ericson	St. Peter
Mrs. Chas. Fredrickson	Askov
T. A. Gustafson	St. Cloud
Mrs. A. W. Hayward	Stillwater
Myrtle Hillestad	Park Rapids
Judge Chas. Hall	Red Wing
Luther N. Johnson	Mound
L. P. Johnson	Marshall
Mrs. Wm. Johnson	Afton
Leroy Lazenberry	St. Paul
T. M. McDonnell	Rochester
Mrs. D. B. McLaughlin	Winona
Catherine Merrill	Glencoe
Mrs. Roy A. Nelson	Fergus Falls
The Rev. Clifford Nelson	St. Paul
Mrs. C. A. Nickloff	Hibbing
Mrs. John Patton	St. Paul
Mrs. F. Rodney Payne	Duluth
Mrs. Lura Reimnitz	Willmar
Payson Wolf	Worthington

1950
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THE MINNESOTA CIVIL *and* HUMAN RIGHTS ASSOCIATION



The Minnesota Civil and Human Rights Association

The Minnesota Civil and Human Rights Association is a non-profit voluntary organization of the people of Minnesota organized for the purpose of protecting and advancing the Civil and Human Rights of all of the people of the state.

It is a membership organization and any one in the state interested in the objectives of the organization may join. In April 1950 more than one hundred representative citizens from every part of the state met in Minneapolis upon invitation by Governor Youngdahl. From this original meeting the Minnesota Civil and Human Rights Association developed during the summer and fall of 1950.

Purpose

The purpose of the organization is set forth in its by-laws:

"The purposes of the Association are as implied in its name and as set forth in the Articles of Incorporation, but more specifically:

1. To promote interest in civil and human rights and development of concern for our responsibilities toward such basic formulations of them as the United Nations Charter on Human Rights, their definition in national and state constitutions and other fundamental documents.
2. To initiate and support programs for public education designed to implement these rights.
3. To promote wider local understanding of and sympathetic support for those programs developed for their own advancement by those who do not fully share in these rights.

Organization

The policy of the Association is determined by the membership of the Association at the Annual membership meeting. During the year the work of the Association is under the direction of a Board of Directors of 27 members elected by the members of the Association. The state is divided into nine regions and three members of the Board are elected from each region. The officers are elected by the Annual meeting and thus become members of the Board of Directors.

Believing that all of the people of the state are concerned in the advancement and preservation of civil liberties and human rights, membership is open to all who can subscribe to the purposes of the Association. The Annual dues are fifty cents.

It is hoped that interested people, joining the organization will develop and carry forward the program of education on a town and county basis.

Officers

President

Roy E. Burt Anoka, Minn.

Vice-Presidents

Dr. E. E. Ericson St. Peter, Minn.
Judge Chas. Hall Red Wing, Minn.
Mrs. C. A. Nicklof Hibbing, Minn.

Secretary

Mrs. Lura Reimnitz Willmar, Minn.

Treasurer

Mrs. Roy A. Nelson Fergus Falls, Minn.

Membership Chairman

Mrs. Aileen Jeisy Johnson Afton, Minn.

Any one interested in the work of the Association are invited to get in touch with any of the above officers.



State of Minnesota

EXECUTIVE DEPARTMENT

Saint Paul 1

LUTHER W. YOUNGDAHL
GOVERNOR

April 10, 1950

You have received, or will shortly receive, an invitation to a meeting on world affairs sponsored by the Minnesota United Nations Association at the Radisson Hotel on April 22. A general discussion of civil rights in relation to world peace will be held at a special session following the regular United Nations meeting that afternoon.

I am urging you, together with two or three other distinguished citizens from each of our major communities, to attend this special planning session. Its purpose is to determine the advisability, necessity and feasibility of setting up a state-wide organization to carry the message of civil rights into every corner of our state.

We are particularly anxious to have the benefit of your judgment in evaluating our own civil rights problems. We also want your advice in determining what Minnesota citizens can and should do to promote the full application of democratic principles in our communities, in our state, and in national and world affairs.

I most sincerely urge your participation in this session. The expansion of civil rights in all areas is fundamental to our democratic way of life, and the support of citizens like yourself is most urgently needed.

Sincerely yours,

G o v e r n o r

LWY je

*Idea to bring in people outside of
Twin cities -*

PROPOSED MINNESOTA CITIZENS COMMITTEE ON CIVIL RIGHTS

MINN Civil & Human Rights Assoc.

new group

Individuals who attended the planning meetings in June and November of 1949 were:

Raymond W. Cannon - Attorney; Member, Mayor's Council on Human Relations; Member, Minneapolis Fair Employment Practice Commission.

Bernhard Christensen - President, Augsburg College; Chairman, Mayor's Council on Human Relations.

Mrs. Howard Conn - Executive Board Member, Joint Committee for Employment Opportunity; Member, Women's Conference on Human Relations; Executive Board Member, Minneapolis Council of Church Women.

Mrs. F. Peavey Heffelfinger - Board Chairman, Northwestern Hospital; Vice-Chairman, Minneapolis Community Self-Survey of Human Relations.

George M. Jensen - Regional Zone Manager, Nash-Kelvinator Corporation; President, Minneapolis Council of Civic Clubs; Former Chairman, Minneapolis Fair Employment Practice Commission.

Lawrence E. Kelly - Former President, Minneapolis Junior Chamber of Commerce; Member, Minneapolis Fair Employment Practice Commission.

York Langton - Trade Extension Manager, Coast-to-Coast Stores; President, Minnesota United Nations Association; Protestant Co-Chairman, Minneapolis Round Table, National Conference of Christians and Jews.

Wilfred C. Leland, Jr. - Executive Director, Minneapolis Fair Employment Practice Commission; Executive Board Member, Minneapolis NAACP.

Bradshaw Mintener - Vice-President and General Counsel, Pillsbury Mills; Chairman, Minneapolis Community Self-Survey of Human Relations; Executive Board Member, Minnesota Council for Fair Employment Practice.

Cecil E. Newman - Editor, Minneapolis Spokesman; Member, Mayor's Council on Human Relations; Executive Board Member, National Council for a Permanent FEPC; Former President, Minneapolis Urban League.

James Oppenheimer - Attorney, Oppenheimer, Hodgson, Brown, Baer & Wolff; Legal Counsel & Employment Committee Member, St. Paul Council of Human Relations.

League - No. 7

Mrs. Charles Rauch - Vice-Chairman, Women's Conference on Human Relations; Past President, Council of Jewish Women; Secretary, Minneapolis Round Table, National Conference of Christians and Jews; Executive Board Member, Minneapolis League of Women Voters.

Judge Edward F. Waite - Retired Judge of Hennepin County District Court; Member, Mayor's Council on Human Relations; Executive Board Member, Minneapolis Urban League; Executive Board Member, Minneapolis Round Table, National Conference of Christians and Jews.

Abbott Washburn - Public Relations Director, General Mills; Member, Minneapolis Fair Employment Practice Commission.

Alfred M. Wilson - Vice-President, Minneapolis Honeywell Heat Regulator Corporation; Vice-Chairman, Minneapolis Community Self-Survey of Human Relations.

Irving Clark - Attorney, Doherty, Rumble, Butler & Mitchell; Executive Board Member, St. Paul Council of Human Relations; Chairman, Industrial Committee, St. Paul Urban League.

Nazard M. Coursolle - Attorney, Coursolle, Preus & Maag; Catholic Co-Chairman, Minneapolis Round Table, National Conference of Christians and Jews.

Rabbi Albert Minda - Rabbi at Temple Israel; Co-Chairman, Committee on Religious Faiths and Denominations, Minneapolis Community Self-Survey of Human Relations.

Charles Turck - President, Macalester College; Vice-President, Minnesota United Nations Association; Board Member, St. Paul Council of Human Relations.

Rev. Clifford Ansgar Nelson - Pastor, Gloria Dei Lutheran Church; Former Board Member, Minnesota Federation of Churches; Executive Board Member, St. Paul Council of Human Relations.

MINNESOTA CIVIL AND HUMAN RIGHTS ASSOCIATION

Report of Committee on Constitution and

Articles of Incorporation

The Committee recommends that the Minnesota Civil and Human Rights Association be incorporated as a non-profit association of the state of Minnesota. It recommends that the Constitution of the Association be filed as Articles of Incorporation as set forth in the following certificate:

CERTIFICATE OF INCORPORATION
OF
CIVIL AND HUMAN RIGHTS ASSOCIATION
(of the State of Minnesota)

We, the undersigned, for the purpose of forming a non-profit corporation under and pursuant to the provisions of Chapter 309, Minnesota Statutes for 1941, (MSA 309), do hereby associate ourselves together as a body corporate and adopt the following Certificate of Incorporation:

ARTICLE I

The name of the Corporation shall be:

MINNESOTA CIVIL AND HUMAN RIGHTS ASSOCIATION

ARTICLE II

The general purpose of this corporation shall be to promote and preserve social, moral, benevolent and charitable relations and our civil liberties and human rights.

Its plan of operation is as follows:

To advance and preserve civil liberties and human rights and the social, moral, benevolent and charitable interests and needs of the people of the State of Minnesota and of the several communities thereof and to that end and in aid of such purpose may receive or acquire by purchase, gift, grant or devise real and personal property and to hold, use, invest, expand, convey or dispose of real or personal property for the sole and exclusive use and benefit of said association and to use, lease and manage the same in any manner deemed most conducive to its interest and prosperity and to the accomplishment of the aforesaid purposes.

ARTICLE III

The location of this corporation and its principal place of business shall be in the City of Willmar, County of Kandiyohi and State of Minnesota.

ARTICLE IV

The terms of admission to membership in this corporation shall be as follows:

Any person interested in the advancement and preservation of our liberties and the promulgation and conservation of human rights, and who subscribes to the more specific statement of purposes set forth in the by-laws.

ARTICLE V

The amount of the annual dues required to be paid by each member shall be determined by the membership as provided in the by-laws.

ARTICLE VI

This corporation shall have no capital stock.

ARTICLE VII

The time for the commencement of this corporation shall be the fourth day of June, 1950, and its duration shall be perpetual.

ARTICLE VIII

The names and places of residence of the persons forming this corporation are:

ARTICLE IX

The management of this corporation shall be vested in an Executive Board composed of not less than twenty-seven (27) and not more than one hundred and seventy-four (174) members. The names and addresses of the first members of the Executive Board are, in addition to the officers, the following:

ARTICLE X

The officers of this corporation shall be:

President, three Vice-Presidents, a Secretary and a Treasurer.

The first officers of this corporation shall be:

All of the above named directors and officers shall hold their offices aforesaid until the first Annual Meeting of the corporation to be held at such time and place as the majority of the directors thereof may by vote determine, on the third Saturday of April of each year at which time and annually thereafter Executive Board members to serve three year terms and officers to serve one year terms shall be elected in the manner provided for in the By-laws.

In testimony hereof, we have hereunto set our hands and seals this fourth day of June A.D., 1950.

In prosence of:

Signed:

Submitted by Committee on Constitution
and Articles of Incorporation

L. P. Johnson, Marshall, Chairman

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