League of Women Voters of Minnesota Records

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Version 3
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LEAGUE OF WOMEN VOTERS

OF THE UNITED STATES

726 JACKSON PLACE WASHINGTON 6, D. C.

MRS. JOHN G. LEE
President

May 14, 1952

Mrs. Kenneth McMillan, President
League of Women Voters of Minnesota
84 South Tenth Street
Minneapolis 2, Minnesota

Dear Mrs. McMillan:

I am writing to follow up our hurried conversation the last day of the Convention in Cincinnati in regard to the questions raised in Mrs. Wilson's letter of April 15.

First I should like to comment on the authorization contained in the national platform. The principles there stated constitute the authority under which national, state, and local programs may be adopted, and all items adopted must conform to these principles. State League platforms must conform to the fundamental authority established in the principles of the national platform.

Since Mrs. Wilson's letter points out that neither the Current Agenda nor the Platform of the Minnesota League contain a Civil Liberties item, therefore no authorization is there provided. I am wondering whether, if your Convention so desires, authorization for an informational pamphlet could not come under some introductory statement to your state program. I have in mind something along the lines of the sentence included in the introductory paragraphs to the new national program: "--- develops understanding of the essentials of individual liberty and representative government." As Mrs. Wilson points out, it would be so much better, through constructive educational work, to avoid the need for opposition action later. Such authorization would not, of course, enable the league to take legislative action, but would make it possible to stimulate informed individual action. It seems to me that a factual publication such as you cotemplate, might be used as a sort of Minnesota supplement to Individual Liberty - U.S. A., pointing up current problems in the field in your state.

The decision to do anything on this would have to be made by your Convention in the light of the whole league job. Only if there is membership support and desire to give time to this , would there be justification for undertaking it. Such membership interest would also be needed in order to include information on the subject in your state Bulletin.

If the Minnesota League does undertake to do something at the state level on this subject, we would be very glad to have you keep us informed at the national office. As the problem may come up in other states, it is often helpful to us to know what some leagues have been able to do. Mrs. Hopkins, newly elected to the national board, has been assigned the portfolio for work on Individual Liberties, and I am sure she would be glad to help you in any way she can.

Sincerely,
Ruth Lurie
Mrs. Moses H. Lurie, Director

cc: national office
Mrs. Hopkins

Seeing you at Convention was nice, but I wish there had been more time to talk! R.L.

April 15, 1952

Mrs. Moses Lurie
League of Women Voters of U.S.
1026 17th St. N.W.
Washington 6 D.C.

Dear Mrs. Lurie,

I am writing to ask if you have any advice for us on what we can do about Civil Liberties in Minnesota under the National Platform.

We have been told that there is a real campaign going to develop agninst Civil Liberties by the next session of the legislature -- loyalty oaths, censuring of text books, courses of study atc. Our friends in human relations work, some of them, are telling us that if this develops, FEPC legislation (which is on our agenda for action) will not have a chance at all. They say let's organize a state wide campaign to fight this Civil Liberties attack, since Civil Liberties are basic to Civil Rights. We wonder about that. If what they say is true, it would be nice for once to attack positively, before the enemy gets us and our kind on the defensive. Yet we haven't Civil Liberties on our Agenda, nor on our Platform. We haven't studied it on the state level.

We wonder if the thing to do would be to continue to work for FEPC on the Agenda, and then taking a cue from national, putoout a factual booklet on "Civil Liberties -- Minnesota". Our authority for doing so would be the national Platform. It would not be done in response to a demand from members, however, because they don't know what we do about the chance of this campaign developing. And much of what we know is confidential.

If we did this, what action could be taken? We could urge people to act as individuals, or through other organizations, on legislation attacking Civil Liberties. Could we, I wonder, urge them to act as League members? I suppose not. Could we give the information and the timing for such action through our League Legislative Bulletins which they will receive during the session? Another thing that makes us feel very puzzled and undecided about the right thing to do about all this, is the desire of most League members to shorten the work load, and adding Civil Liberties, if action is involved, would have the effect of adding another item. Even adding it as a study item would lengthen the agenda.

Mrs. McMillan, state president, and some of our State Board delegates will look forward to talking this problem over with you at Convention in Cincinnati. If you could tell us the thinking national went through in deciding to publish Civil Liberties - U.S.A., it might help us to think through our problem.

Sincerely, Mrs.Harold Wilson, Organ.Se

(will One letter
to the D. L. Pres.
after Council Mtg.
May 15 - '51

Dear Grace:

Gosh, what a letter to have to write. I understand it perfectly of course but I do think Louella is right, someone who has not talked it over probably should read it to see if it conveys what we want it to.

It seems to me that the immediate thing to do (while we are "hashing" over FEPC and its rammifications) is write to National and see if we can do something about Civil Liberties in Minnesota under the National platform. At least we would have one thing off our minds. I would think that the paragraph dealing with Civil Liberties in your letter would be fine to send. A few changes would have to be made of course but on the whole I think it explains our predicament very well.

As much as I hate to say it I do think that we will have to take this problem to the Board. It will take time but it is important that it is clear to all of us. In the meantime if we know whether we can do something about Civil Liberties(if we want to)~~it~~ should help to expedite any de-- cision the Board makes.

Enclosed is an article self explanatory. Our paper has finally gotten rid of Wesbrook Pegler and substituted Fulton Lewis Jr.,not much of an improvement I'd say.

I am sorry that I cant be moreof a help on this problem but I'm rather confused myself I guess.

Sincerely,

Helen

Human Relations in World Crisis
Thank - I speak of Mrs. Kahanu

THE 9th ANNUAL

Institute of Race Relations

JUNE 30--JULY 12, 1952

Held under the Auspices of the

RACE RELATIONS DEPARTMENT

of the

AMERICAN MISSIONARY ASSOCIATION

Board of Home Missions, Congregational Christian Churches

FISK UNIVERSITY

Nashville, Tennessee

HUMAN RELATIONS IN WORLD CRISIS

The terrible acceleration of change in America has produced a new conceptual focus for human relations. We find ourselves concerned only incidentally with the relations between racial and cultural groups, and basically with the realistic process of democracy. Race, in short, has become far more than a domestic issue. It has become the scale on which democracy is being weighed in a world that is being forced relentlessly to choose between ideologies. If democracy is to prove its case on the world scene, there is need for more than words. Some genuine acts of democratic conviction at home, resolving the long-delayed issues of civil rights and equal opportunity, would do more to strengthen our cause than the threat of superior weapons. *The time of proof has come, and race is the touchstone.*

Thus, it is upon HUMAN RELATIONS IN WORLD CRISIS that the NINTH ANNUAL RACE RELATIONS INSTITUTE directs its concern. It is within this focus that the Institute continues its efforts to train community leaders to meet the ever-demanding problems of intergroup relations at home, to develop new orientations and understandings, and learn techniques for effecting constructive change. We invite your attention to this challenge and opportunity which the Institute affords. The fellowship of men of good will and congeniality; the experience of working with thoughtful citizens representing varying segments of community leadership from 33 states, north and south; and the advice of top authorities in the field will be yours to share and enjoy.

With 30 of the nation's most notable authorities serving as lecturers and consultants, the Institute gives direction to an understanding of race relations in the inclusive context of: 1) the psychological and sociological backgrounds of group antagonism, 2) the phenomena of race and culture in world prespective, and 3) civil rights, as they concern employment, education, public accommodations, health, and housing. In an atmosphere conducive to freedom of inquiry, the intensive two weeks' Institute provides the basic information, through seminar presentations, and gives opportunity for analysis and discussion in probing clinic sessions. With workable data for interpreting and directing the course of human relations, Institute members prepare themselves to intelligently understand and affect vital issues of intergroup relations.

> EDWIN A. LAHEY (*Chicago Daily News*)—"Quietly . . . with no tub thumping and no demagogery, the ripples of influence from this annual meeting lap steadily against the rocks of prejudice and discrimination in America."
>
> SAVILLE R. DAVIS (*The Christian Science Monitor*)—"This is a quiet scene, and yet it is the center of the world for a moment. The question of whether the free world deserves to remain free is being measured here."

Course of Study

LECTURE AND SEMINAR PRESENTATIONS

First Week: June 30 - July 5

BASIC ORIENTATION TO HUMAN RELATIONS IN WORLD CRISIS

Race, Politics, and World Democracy

American Racial and Religious Minorities

Sociological and Psychological Bases of Human Relations

Civil Rights and American Public Policy

Religion as a Force in Human Relations

Second Week: July 6-12

PROBLEM AREAS IN INTERGROUP RELATIONS

Racial Segregation in American Institutions

The Community and Human Relations

New Areas in Racial Integration

Labor, Industry, and Full Utilization

Housing and Racial Integration

Equalization of Educational Opportunity

The Role of the Church in Racial Integration

National Defense and Racial Integration

LECTURES, CONSULTANTS, AND CLINIC LEADERS*

ADAMS, INEZ, Visiting Lecturer in Sociology and Anthropology, Fisk University

BOLLINGER, HIEL D., Secretary, Department of College and University Religious Life, Board of Education of The Methodist Church

CAMPBELL, DONALD T., Professor of Psychology, University of Chicago

COMMAGER, HENRY STEELE, Professor of History, Columbia University

EVANS, JAMES C., Civilian Assistant, Office of the Assistant Secretary of Defense

GINSBURGH, A. ROBERT, Brigadier General, U. S. Air Force

HOPE, JOHN II, Industrial Relations Specialist, Race Relations Department, American Missionary Association

IVEY, JOHN E., JR., Director, Southern Regional Education Board

JOHNSON, CHARLES S., President, Fisk University; Director, Race Relations Institute, American Missionary Association

JOHNSON, ROBERT, Cornell Field Research Staff, Elmira, New York

KINCHELOE, SAMUEL C., Professor of Religion, the Chicago Theological Seminary

LANE, FRAYSER T., Director, Community Service Program, the Chicago Urban League, Chicago, Illinois

LAWSON, EDWARD, Division of Human Rights, United Nations

LONG, HERMAN H., Director, Race Relations Department, American Missionary Association

MADISON, JAMES A., National Recreation Association

MARSHALL, THURGOOD, Special Council, N. A. A. C. P., Legal Defense and Educational Fund, Inc.

MCCULLOCH, MARGARET C., Community Organization Advisor, Memphis, Tennessee

MCCUTCHEON, ROGER P., Dean, The Graduate School, Tulane University

MILLER, ALEXANDER, Southern Director, Anti-Defamation League of B'Nai B'Rith

MILLER, LOREN, Attorney-at-Law, Los Angeles, California

MURAVCHIK, EMANUEL, National Field Director, Jewish Labor Committee

MURRAY, PAULI, Attorney at Law, New York, New York

NELSON, D. D., Public Relations Officer, Department of the Navy, Washington, D. C.

ROSEN, A. ABBOT, Director, Chicago Executive Offices, Anti-Defamation League of B'Nai B'Rith

ROSEN, ALEX, Cornell Field Research Staff, Elmira, New York

SIEGEL, MORRIS, Africa Unit, Division of Economic Stability and Development, Department of Economic Affairs, United Nations

SILVERMAN, WILLIAM B., Rabbi, Vine Street Temple, Nashville, Tennessee

THOMAS, JULIUS A., Director, Department of Industrial Relations, National Urban League

THOMPSON, CHARLES H., Dean, Graduate School, Howard University

WEAVER, GALEN, Religion and Race, Race Relations Department, American Missionary Association

WEAVER, GEORGE L-P., Assistant to the Administrator, Reconstruction Finance Corporation

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*Partial list.

CLINICS

The clinics are the workshops of the Institute. Specialists in the field serve as resource persons, giving guidance for constructive social action. Members of the Institute submit their community ailments for clinical analysis—to have them broken down into manageable parts. Systematic investigation weighs the technical instruments and institutional assets against the problems presented. Tackling specific stumbling blocks, the clinics compare notes on various methods and strategies, examine the latest researches and evaluate action programs in terms of positive results. Recommendations and findings come out of direct experience and scientific study. What are the most promising procedures for implementing human rights is the clinics' immediate concern.

The following clinics are scheduled for this summer's Institute:

1. *Industry and Labor Management*
2. *Community Organization*
3. *Church and Race*

OTHER RESOURCES AVAILABLE TO MEMBERS OF THE INSTITUTE

The University Library for purposes of study and research.

A special Institute library of current published and unpublished materials.

Special exhibits, audio-visual aids and planned social activities in cooperation with the University Summer School.

ACADEMIC CREDIT

Full participation in the Institute carries three-semester hours of credit. Arrangement for credit should be made with the Registrar of the University.

FEES

Tuition	$25.00
Room and Board	50.00
Institute Packet and Summary	5.00
	$80.00*

*Non-resident fee, $30.00.

CHARLES S. JOHNSON
Director of the Annual Institute

HERMAN H. LONG
Director of the Race Relations Department

For Further Information
Address
ROBERT C. SWEET
Education and Promotion
RACE RELATIONS DEPARTMENT
AMERICAN MISSIONARY ASSOCIATION
FISK UNIVERSITY
NASHVILLE 8, TENNESSEE

June 20, 1952

Mr. Robert C. Sweet
Education and Promotion
Race Relations Department
Fisk University
Nashville, Tenn.

Dear Mr. Sweet,

Thank you for the twenty copies of the prospectus concerning the Institute of Race Relations. We will use them to interest people in coming to the institute another year. We did send out the literature to the presidents of our 47 local Leagues in Minnesota earlier this year. I'm sorry that more people aren't coming as a result of this promotion. However, Mrs. Kohout is coming, on a scholarship, and she will be using the knowledge and skill which she learns in her work in the Minneapolis League. She will be in charge of the work on Civil Rights (which includes working for a state FEPC law in our legislature in 1953) in the Minneapolis League (which has more than 1100 members) and will also be a member of the State League committee, which will do active lobbying at the legislature, as well as work to educate citizens to influence their legislators this fall, before the session starts. Also, you will remember that Mrs. Opal Gruner attended the institute last year, and Mrs. Gruner is now the Civil Rights Chairman on the State Board. So she is in a very strategic position to put her information and skill to work.

Thank you for sending us the literature. I hope you have a very successful Institute. Know you will.

Sincerely,

Mrs. Harold L. Wilson
Organization Secretary

RACE RELATIONS DEPARTMENT
AMERICAN MISSIONARY ASSOCIATION DIVISION
BOARD OF HOME MISSIONS, CONGREGATIONAL CHRISTIAN CHURCHES
FISK UNIVERSITY OFFICE
NASHVILLE 8, TENNESSEE

HERMAN H. LONG, DIRECTOR

ROBERT C. SWEET
EDUCATION AND PROMOTION

June 13, 1952

Mrs. Grace C. Wilson
Organizational Secretary
League of Women Voters of Minneapolis
84 South 10th Street - Room 417
Minneapolis, Minnesota

Dear Mrs. Wilson:

Earlier this spring you requested bulk announcements of the Institute of Race Relations, to be held at Fisk University June 30th to July 12th. Since the time of your request, a formal prospectus concerning the Institute has been printed. In light of your earlier interest and cooperation, I am taking the liberty of sending twenty copies of this latest announcement. It is realized that you may have no immediate use for them at this time. If so may I suggest that they may be useful in acquainting perspective persons with future Institute.

Sincerely yours,

Robert C. Sweet

Robert C. Sweet
Education and Promotion

RCS:ma

grace will thank

City of Minneapolis
Fair Employment Practice Commission

OUR HUMAN RESOURCES

City of Minneapolis
Fair Employment Practice Commission
1952 *Progress Report*

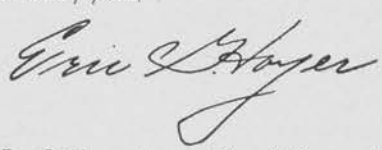
To Amos S. Deinard, Chairman:

I wish to commend the members of the Fair Employment Practice Commission again for your continued progress through 1951.

In spite of the success you have achieved toward improving employment patterns, you have remained continually aware of the work still to be done. Your unremitting efforts to gain increasingly fuller acceptance of all workers on the basis of merit are appreciated.

The Commission has earned the respect of the citizens of Minneapolis and of those other communities which have been watching with critical interest the development of our successful experiment with a fair employment practice law.

Sincerely yours,



Eric G. Hoyer, Mayor, City of Minneapolis.

What is **FEPC?**

The citizens of Minneapolis adopted a civic policy of employment on merit in 1947.

The City Council made it a violation of law for an employer, a labor union or an employment agency to discriminate against any individual, in employment, because of his race, religion or national origin.

The law established a Commission to solve problems of discrimination by conference and conciliation, if possible, and by public hearings and court action, if necessary.

We can now report that all complaints have been adjusted by conference and conciliation, and that substantial improvements have been made in employment patterns in our community.

Employers, unions and employment agencies, as well as minority workers and the general public, have all benefited from the law.

Let's see what business, labor and community leaders say about FEPC after nearly five years of experience with this program.

What labor and business leaders say about **FEPC**

ROBERT I. WISHART

President, Hennepin County Council, CIO

"On behalf of the Hennepin County Council of the CIO, I am proud to say that we played a part in securing the adoption of the Minneapolis Fair Employment Practice Ordinance in 1947. The experience of the past five years confirms our prediction that this Ordinance strengthens the unity of labor, at the same time bringing benefits to employers and to the community as well. Continued vigilance is needed to maintain and extend the progress that has been made.

We believe that much progress has been made in the right direction, but that this community has a long way to go in order to achieve the final success that our organization deems necessary in this very vital field.

We pledge to do everything in our power in the future, as we have in the past, to make fair employment practices a complete reality in every industry in this area."

Robert I. Wishart

HARRY A BULLIS

Chairman of the Board of General Mills, Inc.

"For some years now I have been observing the administration of FEPC in Minneapolis. During this period nothing has come to my attention that would give substance to fears that business could not operate freely and efficiently under it."

Harry A. Bullis

Donald C. Dayton

Walter Cramond, Jr.

DONALD C. DAYTON

President and General Manager of the Dayton Company

"We have been operating with people from many minority groups for some time. The difficulties of integration which we feared might arise just never did. Both the public and our own employees seemed to receive the plan with hearty approval."

WALTER CRAMOND, JR.

President, Central Labor Union, AFL

"The Minneapolis Fair Employment Practice Commission has worked with the unions in opening up opportunities for all workers on the basis of their skills, and without discrimination because of color, religion or national origin.

Building better relations between the members of different groups also has strengthened the unions themselves by overcoming causes for conflict and building unity. The unions affiliated with the American Federation of Labor are glad to have had a part in securing the passage of the FEPC law in Minneapolis.

We call upon our members to give their full support to the principle of equal opportunity for all workers, both within the unions and on the job. We ask them to call problems of discrimination to the attention of the Commission, and to cooperate in solving these problems."

??????????????

WHY THE LAW?

York Langton, Sales Extension Manager, Coast-to-Coast Stores, says:

"The law is necessary to persuade some of those who make employment policy to face the question of discrimination squarely. When they do, they find that they will benefit from employment on merit, and that the problems of adjustment with employees and customers can be easily overcome. The law backs up the businessmen, labor leaders, and employment agency managers who want to practice the sound policy of non-discrimination."

IS EDUCATION SUFFICIENT WITHOUT THE LAW?

Lloyd Hale, President of G. H. Tennant Company, says:

"While I believe civil rights problems are ultimately resolved only through education, in my judgment good legislation wisely administered is helpful in speeding up the educational process. We shall be more effective in advancing democratic principles throughout the world, the more completely and perfectly we practice them here."

WHAT HAS BEEN THE EFFECT ON LABOR UNIONS?

A. P. Eberl, former President of the Central Labor Union, says:

"Union members have learned that conflicts over race and religion reduce union strength and lower labor standards. Since the adoption of the Ordinance, which was supported by the Minneapolis Central Labor Union, employment opportunities have been expanded and union membership has increased. Members of different racial and religious groups, coming into the union for the first time, have been fully accepted by their fellow members on the basis of their individual merits. Our democracy definitely stands for equal rights. We must live this democracy in our country, if we expect the rest of the world to accept it as a way to live free."

WHAT HAS BEEN THE EFFECT ON EMPLOYERS?

George M. Jensen, Vice-President of the Maico Company, Inc., says:

"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."

D. W. Onan, Chairman of D. W. Onan & Sons, Inc., says:

"The beneficial effect of FEPC legislation, wisely administered, is to open more minds to the point of trying an open view, actually employing members of minority groups. Our company has had a successful experience in doing that during the past fifteen years."

WHAT ARE THE ECONOMIC EFFECTS?

Bradshaw Mintener, Vice-President and General Counsel of Pillsbury Mills, says:

"We cannot afford the luxury of discrimination. I cannot see how we can ever realize our full measure of economic well-being until every man and woman is permitted to work at whatever he can best do, regardless of color or religion."

HOW DOES THE LAW STRENGTHEN AMERICA'S POSITION IN WORLD AFFAIRS?

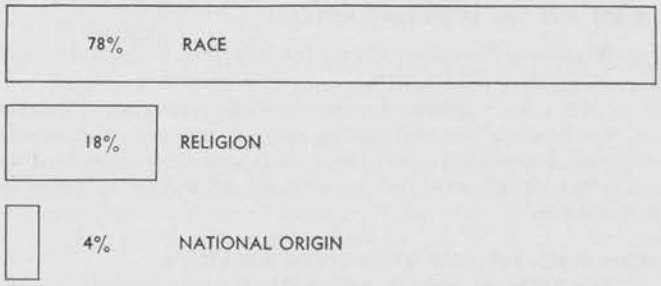
Abbott Washburn, Executive Vice-Chairman, Crusade for Freedom, says:

"The best answer to Communist slander is making democracy work better here at home. One of the best ways to do this is to pass sound social legislation of the fair employment type, legislation designed to strengthen our democratic freedoms. Such action strengthens our own country. It heartens the free world."

Whom has the commission **SERVED?**

The law does not grant special privileges to the members of any group, but protects *every* individual against discrimination because of his race, color, religion or national origin. More complaints are received from some groups than from others because the members of these groups more often encounter the barrier of discrimination. That accounts for the following record of complaints handled by the Commission to January 1, 1952:

Complaints of discrimination based on:



Complaints of discrimination because of:

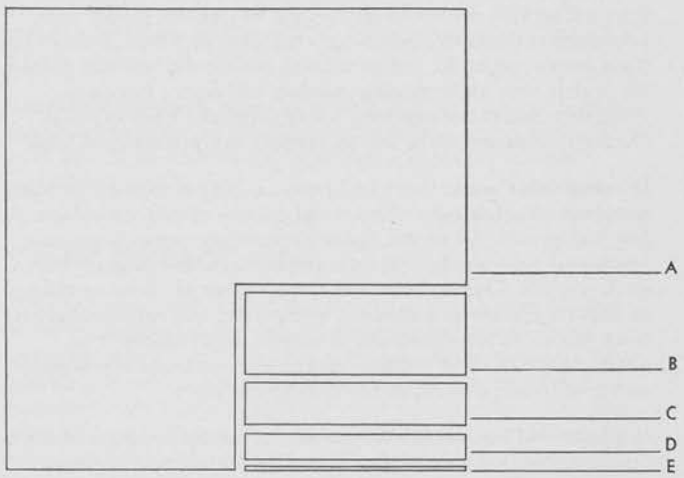
RACE came from Japanese, Indian and Negro Americans.

RELIGION were made because the complainant was Jewish, Catholic or Protestant; or because he was *not* a Jew, *not* a Catholic, or *not* a Lutheran.

NATIONAL ORIGIN were based on Mexican ancestry or on foreign birth in Germany, Austria, Esthonia or Lithuania.

Has the commission reached men who make employment **POLICY?**

Through its work in the conciliation of cases, the Commission has reached almost every group in the community concerned with employment problems. Experience has shown that the adjustment of a single case in one establishment has often improved the employment patterns in many kindred institutions. Respondents in cases are classified in the following chart:



A—PRIVATE EMPLOYERS 79.8%
B—GOVERNMENT AGENCIES 12.4%
C—EMPLOYMENT AGENCIES 5.0%
D—LABOR UNIONS 2.2%
E—INVESTIGATORS 0.6%

What has the law **ACCOMPLISHED?**

Since the law was passed in January, 1947, the agencies working for the expansion of employment opportunities have found that the effectiveness of their work has been sharply increased. Many persons in policy-making positions were previously indifferent to their responsibilities for solving problems of discrimination in employment. Now they give serious attention to steps which will result in the full use of our human resources.

The agencies concerned with this problem include: the Minneapolis Urban League, National Association for the Advancement of Colored People, Minnesota Jewish Council, Jewish Vocational Office, Anti-Defamation League, Japanese American Center, U.S. Indian Bureau Placement Service, United Labor Committee for Human Rights, Joint Committee for Employment Opportunity, and Mayor's Council on Human Relations. These organizations and others have joined with the Fair Employment Practice Commission to achieve the following results:

In City Government employment, workers of different racial and religious groups in increasing numbers have been certified for civil service, accepted and placed in clerical, skilled and professional positions. No Negro teachers or administrators had been employed in the public schools before the law was passed. Since that time an increasing number of Negro, Japanese-American and other minority applicants have been hired as teachers, administrators, and in clerical and professional jobs.

In retail sales work, there had been no Negro workers and few members of other non-white racial groups employed before the law was passed. All of the major department stores have now employed such workers in sales positions on the basis of their qualifications. During 1951, the employment of these workers in department stores increased, and several non-white workers were placed in sales positions in smaller retail stores. The employment of these workers in clerical positions in wholesale and retail trade also expanded during the year.

In banks and insurance companies, very substantial increases in opportunities for members of minority racial and religious groups have become apparent during 1951. A leading insurance company hired its first Negro accountant and a principal bank employed its first Negro male worker in a white collar position during the past year. Jobs in this category which members of the Jewish community have long considered to be closed to Jewish applicants are now open to them on the basis of merit.

In manufacturing industries, engineering and technical jobs, as well as skilled mechanical positions, have been filled by non-white workers in many leading concerns during the past year. Supervisory jobs in plants and clerical positions in offices of manufacturing concerns have also been opened in increasing numbers on the basis of merit and without discrimination.

Executives of employment agencies have appeared to become increasingly aware of the extent to which discriminatory job specifications tend to limit the opportunity of the agency to place qualified workers in jobs commensurate with their skills. Agencies now show willingness to refer applicants on the basis of merit. The State Employment Service is putting increased emphasis on the program of selling the skills of qualified workers without discrimination.

A number of labor unions have admitted Negro workers, and the members of other non-white racial groups, into membership for the first time since the Ordinance was passed. Other unions are reported to provide improved service to minority group members and to have gained more participation by these members in union activities. Many of the forward-looking unions have themselves assumed the responsibility for guaranteeing admission to membership and full participation in union affairs to all workers without discrimination. They have also undertaken, through contract provisions and through negotiation, to assure the acceptance of qualified workers by employers without discrimination.

Workers of American Indian ancestry are moving in increasing numbers from the reservation areas into the city to seek urban employment. These workers had been largely excluded from skilled jobs before the Ordinance was passed. Now such workers are using vocational training opportunities and some of them are being accepted for employment in skilled work in the building trades, manufacturing concerns, banks, department stores, public utilities, hospital work and the service trades.

Vocational guidance agencies report that they encounter less and less opposition to the hiring of minority group workers and more and more acceptance of such workers on the basis of qualifications.

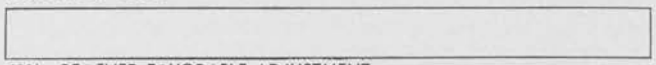
The **PROSPECT** *ahead*

The foregoing instances of progress represent action by the business concerns, labor unions, employment agencies and minority workers in the community who have pioneered in putting into practice the principle of employment on merit. However, we recognize that the cited practices have not been adopted by all who make employment policy, and that much more work remains to be done. We believe that the administration of the Ordinance and the work of the cooperating community agencies have directed the trend away from the discriminations of the past and toward equality of opportunity. During the coming year, the Commission hopes to confirm the trend and to move the community further in the new direction.

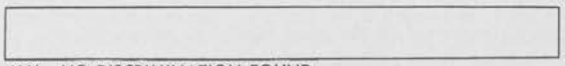
How has the commission solved specific problems of **DISCRIMINATION?**

All complaints so far have been adjusted by conference and conciliation and without the need for a public hearing or for court action. The Ordinance has had the effect of causing employers, labor leaders and employment agency managers to review their policies in regard to the members of different racial, religious and nationality groups. When they have examined the experience of others, they have found that employment on merit is the soundest policy. It provides management with additional workers, it strengthens the unity of organized labor, and it gives more business to employment agencies. The Commission has served both to increase the opportunities available for minority workers and also to protect the accused against false suspicions of discrimination. The conciliation work of the Commission reduces tension, builds good will and places qualified workers in employment on the basis of merit.

ACTION ON CASES



49% REACHED FAVORABLE ADJUSTMENT



40% NO DISCRIMINATION FOUND

6% TABLED FOR FURTHER EVIDENCE

4% COMMISSION LACKED JURISDICTION

1% STILL IN PROCESS

Has the commission done an **EDUCATIONAL** *job?*

With Employers

In addition to its conference and conciliation procedures, the Commission members and staff met during 1951 with the Board of Directors of Associated Industries, and with representatives of the Industrial Committee of the Minneapolis Chamber of Commerce. Both of these groups expressed acceptance of the principle of employment on merit and an interest in assisting their members to solve any problems which might be encountered in putting such a policy into practice.

With Labor Unions

In addition to the conciliation of complaints involving unions, Commission representatives addressed a number of membership meetings and obtained the advice and support of labor leaders in overcoming certain specific problems of discrimination.

With Employment Agencies

In addition to conferences leading to the removal of discriminatory questions on personal data forms, the Commission has counselled with a number of private employment agencies concerning specific placement problems. During 1951, the Commission consummated a working agreement with the Minnesota State Employment Service which will enable the two agencies to work more effectively toward their common objective of employment on merit.

With other Community Groups

Early in 1951, the Minneapolis Commission was host to a conference of Fair Employment Practice Commission representatives from other cities and states. This conference served both to improve the procedures of the Minneapolis Commission and to acquaint the community with the successful experience of fair employment programs in other areas. The Commission cooperated closely with other community agencies working for expanded opportunities for minority workers through educational work and conference programs. The Commission also distributed about 25,000 pamphlets to the members of business, labor and civic groups during 1951.

How to **PROCEED**

1. Discuss any problems of discrimination in employment which may come to your attention with the Commission:

   By calling MA. 1116, Ext. 425, during regular office hours. After 4:30 P.M. and on Saturday morning, call MA. 3757 or . . .

   By coming to the Commission office in Room 407-A City. Hall.
2. File a complaint by giving the Commission a signed statement of the facts including your reasons for believing that discrimination has been practiced. or . . .
3. Give the Commission a signed statement setting forth any information you may have concerning a practice of discrimination, even though you do not wish to file a complaint. The Commission will act on this information and may become the complainant in the case.
4. Inform the Commission about any inquiries concerning race, religion or national origin which are raised by questions on application forms or in employment interviews. Such inquiries are prohibited by the Ordinance.

The commission will:

1. *Respect your wishes in regard to handling the case. Neither your name nor the name of the respondent will be made public.*
2. *Protect you if you file a complaint, testify or assist in any proceeding under the Ordinance.*
3. *Make a tactful and friendly contact with the respondent to get his side of the story.*
4. *Use the method of conference and conciliation to make sure that a policy of employment on merit and without discrimination is established and maintained.*
5. *If conciliation fails, the Commission will after consultation with the complainant, hold a public hearing or refer the the case to the City Attorney for prosecution.*
6. *Give you a full report of the action taken and results achieved in regard to the problem which you present.*

City of Minneapolis
Fair Employment Practice Commission

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

September, 1952

Additional Copies - 20¢

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

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We list herewith some of the statements which have been made against fair employment legislation. Many of them were made by one man. We then give you the answers of fair employment and human relations experts.*

Section I

HOW WOULD A FAIR EMPLOYMENT LAW AFFECT EMPLOYERS?

1. Opponents of Fair Employment Legislation have said that fair employment legislation means more government control, and that we have too much government control already.

> "Every piece of legislation that gives a power to the state to control acts of individuals, taking away their personal freedom in any way, is a step near Totalitarianism."
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2. Opponents have said that the enforcement powers provided in the law are dangerous and objectionable. The employer would be put to the expense of hiring legal counsel to defend himself from even groundless complaints, they claim.

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Every safeguard is provided in the law against the abuse of enforcement powers. Provision is made for the adjustment of every complaint by education and conciliation. Public hearings and court procedure is provided for only in case conciliation should fail.

Of the more than five thousand cases handled by the seven state and two municipal commissions which have been in operation for three years or more, only seven cases have gone to public hearings and only four have gone to court. All others have been settled by the conciliation process. Of the four court cases only two were concerned with exercise of enforcement powers by the commissions; the other two were instituted to test certain aspects of the authority of the commissions. In general the commissions rulings have been upheld by the courts.

The Commission to be established by the law has no power to issue orders or to impose penalties. It is a conciliation body only. There is no reason for an employer to hire legal counsel during the conciliation process. It is not a legal proceeding but is simply an informal conference, held in the employer's office, for the purpose of ironing out whatever problems may be involved. The law specifically provides that the Commission shall not make public the name of the complainant or the respondent, or any other information concerning its efforts in a particular case to eliminate an unfair employment practice through conciliation. The history of established commissions shows that every case has been handled without publicity as a matter of established policy.

If the Commission's conciliation should fail, the law provides for the appointment by the Governor of a separate Board of Review consisting of three members, one of whom shall be a lawyer licensed to practice in this state. The Board of Review would hear all the facts in the case and would either dismiss the complaint or would order any action necessary to remedy the discriminatory practice found. If either the Commission or the respondent is not satisfied with the ruling of the Board, either party may appeal the decision to the District Court. Only the court has ultimate enforcement power. Refusal to comply with an order of the court would make the violator guilty of contempt of court.

The existence of an impartial agency to investigate and adjust complaints and charges of discrimination acts as a safety valve and reduces the probability that the members of an aggrieved group will stir up trouble in the community. There is no case on record of boycotting or picketing being use in connection with any complaint handled by a fair employment commission.

3. It has been claimed that employers might be forced to hire incompetents whom they do not want and who might ruin their business.

The whole purpose of the law is to persuade employers to carry out the principle of employment on merit. No commission would ask an employer to hire a less competent person if a more competent applicant were available. In fact, the law provides exactly the reverse, that is, that an employer must not refuse to hire the most competent applicant for any given position solely becuase of prejudice against him on the basis of his race, religion or national origin.

Commissions do not question the hiring standards established by the employer, so long as they are not designed to exclude applicants from consideration on the above grounds. Commissions recognize that not only training and experience, but also personality, appearance, the ability to get along with fellow workers and many other subjective factors enter into the choice of a desirable employee. The law rejects the unsound theory that these desirable qualities are possessed only by the members of some particular racial, religious or nationality group. It recognizes

that these qualities are distributed among individuals in every group. There is not a single case on record of any employer's business having been injured by following the policies recommended by a fair employment practice commission.

4. An employer's business may be injured by hiring minority group workers because customers will be driven away.

The experience of employers who have hired the members of different racial, religious and nationality groups in public contact positions shows that this fear is unfounded. Over the past five years, the Dayton Company in Minneapolis has employed Negro workers in sales and other positions throughout the store. On the basis of their favorable experience, Donald Dayton says, "We have been operating with people from many minority groups for some time. The difficulties of integration into our organization which we feared might arise, just never did. Both the public and our own employees seemed to receive the plan with hearty approval."

Such favorable experience is in line with that of other states which have been operationg under fair employment laws, and may be explained by a number of factors. When people are seeking to buy goods or to obtain business services, they are more concerned about the quality of the goods and services, than about superficial characteristics of the people who may provide them. People often make prejudiced remarks through thoughtless adherence to old habits; they are much less likely to follow up such remarks by discriminatory action when they are offered service by a member of the group against which their remarks may have been directed. Studies have shown that people are inclined to accept the fait accompli. Prejudiced people are less likely than others to initiate any movement which goes against the mores of the group. They tend to be conformists. Most of our fellow citizens, on the other hand, are decent reasonable people who believe in equal opportunity and fair play, and who obey the law.

5. Employees may not be willing to work with members of minority groups whom an employer is forced to hire; this would cause the employer serious difficulties and ruin his business.

The arguments given in answer to question 4 apply with equal force here. We might add that there are very few instances under existing fair employment practice laws in which an employer has been "forced" to hire any particular applicant. In almost all cases, the work of the Commission has caused the employer to study the problem and to examine the experience of other employers in dealing with it. He has thus become convinced that the difficulties which he fears will not arise. He has then proceeded to employ the members of formerly excluded groups, not because of force exerted by the Commission, but because they were the best qualified applicants available for particular jobs.

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."

Minority group members who qualify for a given job are likely to have education and background similar or equivalent to that of their fellow employees. To many who have thought of minority group peoples in terms of stereotypes only, this is an educational and a broadening experience.

6. 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. Even the opponents of fair employment legislation remark that 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 complaintants 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 suspicion and misunderstandings. The commissions have operated to ease tensions and to build improved relations between the members of different racial, religious and nationality groups. When there is no law and no commission the minority group member who believes himself to be discriminated against has no recourse, and is likely not only to become embittered, but to pass that bitterness on to his fellows.

7. The opponents sometimes claim that the law would create other serious problems for employers. Five different arguments may be grouped under this heading.

(a) The railroads could no longer employ only colored people for dining car and Pullman service; this would put them to much expense and inconvenience.

It is true that it is just as discriminatory to exclude qualified white workers from consideration for any job, as it is to exclude qualified workers from other groups. There is no reason why prohibiting such discrimination by law should cause the Pullman Company or any other employer any expense or inconvenience. It would simply give them a broader labor market from which to select the best qualified workers.

(b.) "If Southern mothers and wives and daughters are to be examined by Negro doctors.....our Southern customers will simply go to some other state and hospital where no FEPC law exists. Our Minnesota hospitals have become a great institution for the good of all mankind besides bringing millions of dollars into this state. Should their success and progress be endangered by a law of this kind?"

Since no hospital would be required to employ any but the most skilled, competent, and ethical doctors which it could find, no patient would be in any way endangered. And since no patient would be required to consult any particular doctor he would be free to indulge his personal preferences, even though they involved racial or religious prejudice. At the same time patients from all over the world, of varying skin colors and religions, who likewise patronize famous hospitals, would be favorably impressed by the honesty of American democracy.

In New York City, where the law against discrimination in employment has been in effect over the longest period of time, the major hospitals successfully employ Negro physicians, as well as the members of other racial and religious groups. Numerous examples can be given in the South, as well as in other parts of the country, in which white patients have selected Negro physicians because of their professional skill.

Integration is daily becoming less difficult, even in the South. The American Nurses' Association publication, An American Challenge, states; "The American Nurses' Association....has always sought to extend its membership to all professional registered nurses, regardless of race, color, or background....It is

ANA's policy...to eliminate discrimination in job opportunity, salary or other working conditions...To integrate minority groups within the framework of membership...To establish the integrity of every member of the ANA as a person, as a citizen, and as a member of the hreat and honorable profession of nursing."

The first professional Negro nurse was graduated in New England in 1879 and the American Nurses' Association accepted registered Negro nurses into membership as early as 1898, or one year after it was founded.

Since fifteen states and one district excluded qualified nurses on a racial basis from membership in their alumnae associations, which were then the ANA basis of membership, a National Association of Colored Graduate Nurses was formed in 1908, and ANA cooperated closely with it and assisted in financing it.

After World War II, however, one Southern state after another removed its restrictions against Negro nurses, so that they are now accepted in all but four of the 48 states. Partly as a result of the competent service of 512 commissioned Negro nurses in the United State Army and over 2000 Negro nurses enrolled in the United States Cadet Corps during World War II, the American people began to recognize that nursing and the need for nursing are universal, and that professional competence should be the criterion.

Typical of the progress being made in inegration in the South today is the fact that a Negro nurse has been twice elected to the board of directors of the Florida State Nurses' Association and in North Carolina recently Negro and white nurses attended a state Nurses' Association meeting together in one of the best North Carolina hotels with no difficulty.

(c) The bill would prevent employers engaged in defense work from screening out poor security risks and subversives.

This is a completely mistaken idea. The law contains a specific provision authorizing the employer to comply with all the security requirements which may be established by state and federal government agencies.

(d)"Some jobs require discrimination". "It is good business practice to employ a Norwegian salesman in a Norwegian community and to discriminate against all others". How far would a Negro salesman representing a Minnesota company get in Alabama?

The jobs which "require" discrimination, such as those in religious institutions, are exempted from covdrage by the law. A requirement that a salesman must know the Norwegian language if he is to sell in a Norwegian community would not be a violation of the law. The argument that a salesman must be of the same racial, religious or nationality group as his customers is simply not true. The skill of the salesman far outweighs the influence of his race, religion or national origin in determing the success of his work.

(e) The bill would prevent employers from exercising their judgment in considering such qualifications as personality traits, temperament, suitability, compatibility, apperance, etc., in building up their personnel.

This is completely false. The law and the commissions recognize the importance of all the foregoing factors in selecting the most desirable employee for any particular job.

8. This legislation would prevent business expansion within or into the state and would drive business out of the state. Cometitor states do not have such a bill. Taxes and freight rates in Minnesota are already unfavorabe to business;we are a long way from raw materials and from large markets, and our workmen's compensation laws and resulting insurance rates are a burden to industry.

A fair employment practice law is an aid and not a burden to industry, so there is no reason why it should prevent business expansion or drive business out of the state. It opens up a larger labor market. The fact is that states and cities operating under FEPC laws have not lost business to other states. On January 5, 1949, four year after the establishment of the New York State Commission Against Discrimination, Governor Dewey states; "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 billion dollars -- an all time high." The executive officers of the Minneapolis Chanber of Commerce have stated that no case has come to their attention in which the existence of the Minneapolis Fair Employment Practice Ordinance has ever been discussed by a business firm in connection with a decision to either abandon or to establish a business enterprise in Minneapolis.

9. Certain minority groups will not work together; there might be bloodshed if employers were not permitted to segregate Mexican Nationals, Puerto Ricans, Jamaicans, Bahamans, etc.

Of course, it is true that intergroup misunderstandings 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. An effective state fair employment practice commission would greatly help well-intentioned employers to solve any conflicts which might develop between workers who might speak different languages and have different cultual backgrounds.

The argument that people of different groups cannot work together in harmony and good will is simply the product of ignorance and prejudice. Experience is the answer. Whereever FEPC laws have been passed, 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. Firms that have given fair employment practice a fair trial have found their fears unjustified.

10. Employers are justified in asking, "Granted that fair employment laws have been well administered in most of the states which have passed them, as well as in Minneapolis, how do we know that with a new Minnesota fair employment administration we would not fall victims to a prying, meddlesome or tyrannical bureacracy?"

Fortunately a national precedent has been set and a pattern for fair employment administration established. Administrators have taken pride in their constructive and conciliatory educational approach and their remarkable national record of 99.86% success in handling cases by negotiation without resort to public hearing or court action. Surely Minnesota business leaders who would be included on the commission the Governor would appoint could be expected to assure the selection as administrators a qualified staff of judgment and integrity.

* * * * * * * * * *

These questions were asked us at the Rochester Convention by our own members:

1. "Must an employer employ drunken Indians?"
2. "Indians are our only problem. They won't work."
3. "What recourse do employers have if employment of Indians, or Negroes or other minority groups causes stable help to leave their employment. Then can the employer fire them?"

Our answers to these questions are:

1. No. No employer would be required to employ drunken Indians, or drunken Norwegians, or drunken Irish, or any other drunken applicant. He would, however, be required to give a sober industrious qualified Indian the same consideration as any such applicant whose skin was white.
2. Any Indian who literally won't work (we assume you mean after he is hired) can be fired for incompetence the same as any other employee, and a fair employment commission would stand back of the employer who fired him. Wether or not he was an Indian should have nothing to do with the case.
3. Experience shows that employees don't quit their jobs if they know that an employer means business in obeying the law. They may threaten to do so, but when it comes to a "show down" they think better of it. No, the employer could not fire a competent minority group worker because someone else was prejudiced against him. Yet after several years experience in New York, New Jersey, and Massachusetts, the Chairmen of these 3 commissions testified that no employer in any of the 3 states had complained of this kind of difficulty.

* * * * * * * * *

Has your community a special problem also? If so we should like to help you with it.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section II

HOW WOULD A FAIR EMPLOYMENT LAW AFFECT THE COMMUNITY?

1. Opponents of Fair Employment Legislation have said that the law is itself discriminatory; it is class legislation. It discriminated against the employer. It discriminates against the majority, giving members of minority groups special privileges. Employers will feel compelled to discriminate in favor of persons belonging to minority groups.

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

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 irrelevant 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.

The law applies to employers, employment agencies and labor unions. It benefits employers and certainly does not discriminate against them. In this connection, York Langton, Sales Extension Manager of Coast-to-Coast Stores, says, "The law backs up the businessmen, labor leaders, and employment agency managers wo want to practice the sound policy of non-discrimination."

2. It would increase our tax burdens.

We believe that the law would reduce tax burdens rather than increase them. The very moderate cost of administering the proposed law would be more than offset by two positive factors. On the one hand, there would be a reduction in the costs of police protection and health and welfare services now required to combat the poverty, delinquency and crime which are among the unfortunate by-products of discrimination. On the other hand, the increased incomes which would result from the full useof every worker's higher skills would result in increased tax revened to the state.

It would be much more economical and efficient to administer a state-wide fair employment law than a city ordinace in one or more cities. It would also be cheaper and more efficient to administer a State fair employment law than a voluntary education program supported by employers. The Cleveland Chamber of Commerce spent $31,500 in 15 months for an unsuccessful voluntary education program before it agreed to a compulsory FEPC ordinance. Yet the amount which was requested for a year's budget for the proposed Minnesota state law is only $40,000.

3. This type of legislation might develop heretofore nonexistent antagonism to members of minority groups and create more problems that it would solve. Forced association will complicate and accentuate problems which are best worked out by development of a relationship of friendly cooperation. Employers and employees, who, if left to themselves would be willing to effect integration by gradual degrees, will be resentful and resistant if forced to do so by law.

There has been no evidence that this legislation creates prejudices that did not already exist. Bringing our hidden prejudices into the light is the best way to get rid of them.

In actual practice, the commissions have not found strong general feelings of prejudice that would cause people to be unwilling to work beside the members of other groups. They have found instead ignorance, 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.

There is no disparity between "development of a relationship of friendly cooperation" and fair employment legislation. Friendly cooperation has been the basic principle on which fair employment commissions throughout the country have been operating. Experience has shown that employees are inclined to accept and obey fair employment laws, rather than to resist them. A wise and public-spirited employer would do well to accept the help of experienced and qualified fair employment administrators in solving any problems which might arise in connection with integration. His attitude toward the law is likely to be reflected by his employees.

4. If we pass a fair employment bill in Minnesota we shall be faced with large-scale immigration of Negroes from states which do not have such laws; they will bring with them serious problems of ignorance, disease, delinquency, housing, law enforcement, unemployment, and dependency. They will compete with our present citizens for jobs. "The Minnesota business man knows that already our labor supply exceeds our labor market."

A migratory movement of both Negro and white workers out of the South and toward the North and West has been under way since the first world war. It waned during the depression and then continued in increasing volume during the second world war and since that time. There is no evidence that the presence of fair employment practice laws has anything to do with the amount of migration into particular cities or states. The people, both white and Negro, are making these moves because of the greater opportunities and the more favorable living conditions in the North and West than they experience in the South. A migration from rural to urban areas all over the country is another important trend.

Analysis of 1950 census figures shows that the largest increase in non-white populations over the 10 year period between 1940 and 1950 did not take place in the Northeastern section of the country, which has the largest percentage of FFPC states and also the states which have had fair employment laws the longest time, but in the Western states, where there is the largest increase in the white population also, and where only one state had adopted a fair employment law before 1949. Three quarters of the states in this Western block do not have fair employment laws yet. California, where the non-white population has increased more than 100%, is not an FEPC state. We should bear in mind, also, that even a large percentage increase in non-white population does not represent such a startling change when we realize that only Missouri, Illinois, and Michigan (all non-FEPC states) among the North Central states have a concentration of a little over 7% non-white population, and that a 74% increase in Oregon brings the non-white population of that state to a little less than 2% while the South still retains 68% of the Negro population in the country.

Since, however, there is a definite and continuing trend for Southern populations to migrate, fair employment laws or no fair employment laws, we should be wise to set up the kind of favorable conditions which will encourage them to develope their highest skills and become productive and self-reliant citizens. This constitutes and additional reason for the adoption of the state law against discrimination in employment.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section III

DO WE NEED A LAW?

1. The opponents sometimes say that Minnesota does not need fair employment legislation.

(a) "People in Minnesota do not discriminate".

It is noteworthy that the same person who made this statement also wrote "Every intelligent person knows that a problem does exist." (He was pleading for a voluntary plan). The fact is that the practice of discrimination in the state is widespread and serious. It will not correct itself, but it can be readily corrected by forthright action. An effective instrument for taking such action will be created by the adoption of the proposed bill.

(b) In November, 1949, the Twin Cities were given a national award because they had been "outstanding in their treatment and conduct of racial problems".

The award given by the National Conference of Christians and Jews does not prove that there is no need for a fair employment practice law in Minnesota. The award was made, not 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, the Mayor's Council on Human Relations, and other agencies, it made substantial progress toward increasing employment opportunities for minority workers.

The opponents of the bill made no contribution whatever, through educational work or otherwise, to the progress upon which the award was based. Those who contributed most to that progress advocate the enactment of a state fair employment practice law.

2. "No acute problem now exists in Minnesota

(a) We have only about 22,000 colored people in our whole state."

Even this relatively small number represents an important source of manpower. Futhermore, the problem of discrimination is not limited to non-white applicants; the members of different racial and religious groups face serious barriers in some areas and in some types of employment. Finally, the question of discrimination is not simply a matter of statistics but is an ethical problem. The welfare of 22,000 of our fellow citizens should be of concern to all the people in the state. We must take vigorous action against disrimination if we are to prove our faith in democracy and our support of the principles of human dignity and individual freedom upon which our nation was founded.

(b.) "There is practically no unemployment of minority group workers -- no higher percentage than of any other group."

League of Women Voters of Minnesota
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The number of cases dealt with is no measure of the value of this legislation or of the effectiveness of the commission's work. It is not violation but compliance with the law that is the measure of its value. Experience has shown that the adjustment of a single case in one establishment has often improved the employment patterns in many kindred instituions. 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.

5. We are not ready to take such a sweeping step.

There is nothing experimental or revolutionary about the enactment of a law against discrimination in employment. Four states and 1 city have had fair employment laws since 1945, 7 states and 3 cities have had them since 1947, and a total of 11 states and 25 municipalities are now operating under fair employment legislation. We have found in the literature no complaints from employers where these laws are in force; the only criticism has come from a few people who have felt that the commissions have been too lenient, and that they have leaned over backwards to avoid using enforcement. We must realize the critical urgency of action against discrimination if we are to win the fight for freedom and democracy throughout the world. In this connection, Abbott Washburn, former Public Serviced Director of General Mills, more recently Executive Vice-Chairman of the Crusade for Freedom, and now in charge of General Eisenhower's Denver campaign headquarters, says: "The best answer to Communist slander is making democracy work better here at home. One of the best ways to do this is to pass sound social legislation of fair employment type, legislation designed to strengthen our democratic freedoms. Such action strengthens our own country. It heartens the free world."

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION

Section IV

ARE THERE BETTER WAYS OF ACHIEVING EMPLOYMENT ON MERIT?

1. The opponents sometimes state that it can be done better by education than by legislation: "you can't legislate morals and human understanding." "Let us work it out in a Christian manner." The objectives of the legislation can be better achieved by setting up educational agencies without enforcement powers. "The problem is being met in Minnesota by education and understanding...dozens of firms are added each year to the hundreds already employing colored people."

The fair employment practice acts do not attempt to legislate morals; they merely prohibit illegal acts of discrimination. There is no conflict between the proposed legislation and a program of education. This legislation provides for the use of every effective educational device.

The kind of education that changes attitudes of prejudice is that which comes about when, on a normal, everday 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.

In this connection, Lloyd Hale, President of the G.H. Tennant Company of Minneapolis, and Chairman of the Minneapolis Industrial Manpower Committee, said, "While I believe civil rights problems are solved only through education, good legislation is helpful in speeding up the educational process." Likewise, Harry A. Bullis, Chairman of the Board of General Mills, Inc., recently wrote: " I believe the greatest value of the FEP ordinance has been educational. It has caused management to review employment policies and to endeavor to get rid of old prejudices."

We may cite here again (See Section II, 2) the very extensive and ambitious attempt of the Cleveland Chamber of Commerce to achieve fair employment by a voluntary educational program. After a year of experience and study, they abandoned the voluntary plan and supported the adoption of a compulsory fair employment practice law. The following excerpt from an editorial from The Cleveland Press, dated January 31, 1950, covers this point: "VOLUNTARY FEPC DIDN'T WORK: NOW CITY GETS THE REAL THING. Cleveland can be proud of its new fair employment practices ordinance -- proud that it is again a pioneer in the field of intelligent race relations and proud that the decision was taken deliberately and thoughtfully.

"In the process, this community learned a lot which should be helpful, Most important, we learned that a voluntary FEPC, no matter how diligently and sincerely run, is almost valueless.

"Cleveland was fortunate indeed that its Chamber of Commerce set up and operated a thorough, conscientious and spirited voluntary FEPC, Its program was so good, in fact, that Philadelphia, which has compulsory FEPC, borrowed many of the educational and promotional ideas generated by Cleveland's excellent committee.

"But the voluntary plan simply wasn't enough. There was no noticeable change in the employment of minority groups. There was plenty of goodwill, but practically no jobs.

"Yesterday, the Chamber's committee in effect admitted failure. With a minor change, they agreed to a compulsory FEPC, which Council promptly passed, 25 to 7.

"The important thing is that Cleveland has legislated with courage against racial and religious discrimination in employing its citizens."

2. Some opponents of a state fair employment law have claimed that this is a problem which should be handled by each local community individually; it chiefly concerns the three large cities.

It is undoubtedly more efficient and will involve less total cost to the citizens of the state to deal with the problem of discrimination in employment through a single agency with state-wide coverage than through setting up seperate agencies in each local community. It is not true that the problem is limited to the three largest cities or that it can be handled adequately by the city governments of Minneapolis, St.Paul and Duluth. For one thing, an important portion of industrial employment in the Minneapolis, St.Paul and Duluth metropolitan areas lies outside the city limits of these communities and outside the jurisdiction of their municipal government authorities. Furthermore, the largest racial minority in the state is the American Indian group. Only a very small proportion of the Indian people in the state reside in the principal cities. In this connection, the ethical aspects of the problem should again be emphasized and the citizens of Minnesota should not lose this opportunity to take positive action in support of freedom and democracy throughout the state.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section V

WHO DRAFTED? WHO SUPPORTS? and WHO OPPOSES THIS BILL?

1. Opponents have said that the bill is supported by impractical idealists, politicians, and radicals. "It is strictly Marxian socialism in nature." "This type of legislation was the main plank of the Communist platform - also of Henry Wallace's platform." "This bill is proposed by politicians who are wooing the votes of minority group members."

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 inalienable 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 a fair employment law was New York in 1945, with bipartisan support in a legislature which had a Republican majority and under the leadership of Republican governor Thomas E. Dewey. While support of fair employment legislation usually cuts across party lines, Republicans point with pride to the fact that of the other 10 states which have passed fair employment legislation, 6 were enacted by Republican legislatures and Republican governors, 1 by a Republican senate and a Republican governor, and 1 by a Republican legislature.

Democrats, on the other hand, remind us that in 1941 President Roosevelt's Executive Order 8002 first established a federal fair employment practices commission as a war measure. In 1947 President Truman appointed the Committee on Civil Rights, headed by Charles E. Wilson, President of the General Electric Corporation, which, after an exhaustive study of discrimination against minorities in all phases of our national existence, recommended fair employment legislation at both the state and national level. Pursuant to these recommendations President Truman directed the establishment of a Fair Employment Board in the Civil Service Commission which administers an executive order prohibiting discrimination in Government employment. The President also directed that all government contracts include a provision that private contractors will treat applicants for employment and employees non-discriminatorily. A group of distinguished private citizens was appointed to oversee administration of the order.

In 1948 both Republicans and Democrats included Civil Rights planks in their national platforms calling upon Congress to safeguard the rights of all citizens of any race, color or religion, to equal opportunity for employment.

Governor Adlai E. Stevenson has demonstrated clearly where he stands on fair employment legislation; he worked for a fair employment law in his own state of Illinois and declared himself openly, even in the Southern state of Virginia as standing strongly behind the national Democratic Civil Rights plank, which calls for the enactment of a Federal fair employment law. Gen. Dwight Eisenhower has said that this is a problem for the individual state to handle, that he would try to get the states to pass such laws. Although he said "in law itself we do not find the answer always", he added, "However, I really believe that each state should get this thing on its books in such a way so that each of its citizens may understand exactly where it is.. where he is." He also said "My own belief is this: No true American worthy of the name would want deliberately to exclude another American from full opportunity to enjoy every right guaranteed him under the Constitution. If he does, there is something wrong, and we must get at it."

It is difficult or impossible to compare the contributions made to fair employment legislation by the two major parties in this country. Whatever Communist support there has been, on the other hand, has been of comparatively minor importance and has been a liability, rather than an asset.

The bill which was introduced into the 1951 session of the Minnesota Legislature, and of which we send you a copy, was drafted, as the accompanying statement tells you, by a large and representative group of Minnesota citizens, including legislative leaders of both Republican and Democratic-Farmer-Labor parties, businessmen, civic leaders,

labor representatives, representatives of minority groups, and law and human relations experts. It was endorsed by both parties, was sponsored in both the House and the Senate by legislative leaders of both parties, and was urged by Governor Youngdahl. The 1952 state convention of both parties have again included fair employment legislation in their platforms, and both candidates for the governorship and also for the lieutenant governorship have declared themselves in favor of it.

The endorsements indicated in the answer to the next question, and in other parts of this report, from thoughtful, responsible, and informed businessmen and civic leaders who have gone on record in support of this bill will show that any implication that this proposal is Communistic in origin, in purpose, or in effect, is simply a false statement designed to arouse emotional antagonism to the bill.

The number of minority group voters in the state is not large enough to constitute a threat to any office-seeker. It is the 72% of Minnesota citizens who have declared themselves in the Minnesota Poll as favoring fair employment legislation, of whom our representatives in the legislature should take cognizance. 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.

2. The opponents sometimes say that many people are opposed to the bill. "Industry, large and small, is opposed to it."

Most of the opposition to the bill is based on lack of information or misinformation as to the actual operating experience with this kind of legislation in other cities and states. Informed businessmen favor this proposal. The following names of responsible business leaders in Minnesota are taken from the list of those who supported the bill in 1951:

Julius Barnes, Duluth, President, Barnes Shipbuilding Co., Former President of U. S. Chamber of Commerce

Donald C. Dayton, Minneapolis; President and General Manager, The Dayton Co., Chairman, Minnesota Retail Federation, Inc.

Harry A. Bullis, Minneapolis; Chairman of the Board, General Mills, Inc.

Bradshaw Mintener, Vice-President & General Counsel, Pillsbury Mills; former chairman, Minn. Methodist Conference

S. S. Grais, President, Gray's Drug Store, Inc., St. Paul

Lloyd Hale, Minneapolis; President, G. H. Tennant Co.; Chairman, Minneapolis Industrial Manpower Committee

D. W. Onan, Minneapolis; Chairman of the Board, D. W. Onan & Sons, Inc.

Campbell W. Elliott, Hopkins; Vice-President in charge of Industrial Relations, Minneapolis-Moline Power Implement Company

York Langton, Minneapolis; Trade Extension Manager, Coast-to-Coast Stores; President, Minnesota United Nations Association

Warren Burger, St. Paul; Attorney, Vice-Chairman, St. Paul Council of Human Relations

George M. Jensen, Minneapolis; Vice-President, The Maico Co., Inc.; Chairman, Minn. Council for FEPC

Arthur Randall, Minneapolis; Vice-President in charge of Personnel, D. W. Onan & Sons, Inc.

Stuart W. Leck, Minneapolis; President, James Leck Co., Builders; President, Citizens League of Greater Minneapolis

Abbott Washburn, Minneapolis; former Public Services Director, General Mills, Inc. now in charge of General Eisenhower's Denver hdqtrs.

These are not only some of the most outstanding names in Minnesota business, but most of them had been operating in the one city in the state where a fair employment ordinance had already been in force for three years.

3. In 1951 the claim was made that "Forty states and our American Congress have turned it down." This statement is definitely erroneous. The National Congress, due to the failure of the Senate to impose cloture on debate, has not yet had an opportunity to either accept or reject a Federal fair employment practice law.

As to the 40 states, quite the contrary of the opponent's statement is true. Beginning with New York in 1944, attempts have been made to pass fair employment laws in 27 states. 11 states have now passed laws, and in addition 25 cities with an aggregate population of over 9 million people have passed ordinances. This brings the total of people who are successfully doing business under some form of fair employment legislation to over 60 million in 18 states, or well over 1/3 of the population of the United States. If we add to this the states which have anti-discrimination legislation applying to some but not all occupations, or to religion but not to race, we find only 8 states which are not included. (There are at least 152 of these laws in 28 states) 8 city ordinances were passed in 1951 and 5 more have already been added to the list in 1952. No state has repealed its fair employment laws.

Here we see the same pattern that has marked every new approach to the solution of human and economic problems — workmen's compensation laws, child labor laws, free public education came first in the more progressive states and were gradually adopted throughout the nation.

Fair Employment marches on! We hope that Minnesota, as a great progressive state, will assume its proper position of leadership in this movement.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section VI

IS A FAIR EMPLOYMENT BILL WORKABLE? AND IS IT CONSTITUTIONAL?

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

(a) It has been contended that it is impossible to prove discriminatory practices in employment.

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 advertising, or discriminatory job orders. In other cases, an employer's pattern of rejections or statements made to personnel officers 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.

(b) How can an enforcement agency determine whether discrimination exists in an employer's mind? "The commission will 'guess' many an employer guilty."

The law deals with acts of discrimination, not with discrimination in an employer's mind. The burden of proof always rests with the complainant in supporting a charge of discrimination. It is true that this proof is often difficult to establish. Where it cannot be established the case is either dismissed or tabled for further evidence. The Minneapolis Fair Employment Commission, after five years' experience, reported that in 40% of all cases brought before it, no discrimination had been found and another 6% were tabled for further evidence. In only 49% of cases was the complaint judged to be justified, E very case, however, had educational value for either the complainant or the employer or both.

Comparison of the qualifications of the rejected applicant and others employed, and examination of the employment records of the company to determine whether it employs any minority group members are two kinds of evidence which are sometimes useful, although not necessarily conclusive unless supported by other evidence. The ultimate recourse of an employer who feels that he has been unjustly accused is an established court of law, where evidence must meet the same standards as for any other law.

As a practical matter, only four out of more than five thousand cases in the entire nation have been taken to court since the first commission was establised in 1945 (See Section I, 2). In all of the other cases, proof of discrimination was not a critical question. The conciliation process simply served to make certain that a sound policy of employment on merit was established and maintained. The commission is concerned primarily not with proving guilt, but with establishing employment on the basis of merit.

2. "It does not seem....that the problem of the Jew and the Negro and sufficiently alike that they can both be dealt with in the same manner, either by law or otherwise"

This is not true, and this argument is simply designed to divide some of the groups supporting the proposed bill. The practice of discrimination in employment is essentially the same regardless of the group against which it may be directed. Fair employment practice laws protect every individual against discrimination because of his race, color, regligion or national origin. More complaints are received from some groups than from others because the members of these groups more often encounter the barriers of discrimination.

The procedures established by the law have been proved to be sound and effective instruments for dealing with the problem of discrimination, wherever it may be found. In Minneapolis both racial and religious minorites had recourse to the law; 78% of complaints referred to the Minneapolis Fair Employment Practices Commission were based on alleged racial discrimination and 18% were based on alleged religious discrimination.

3. A fair employment law would be unconstitutional.

No competent lawyer seriously questions the constitutionality of the proposed bill. The suggestion that the proposed law would be unconstitutional has not been seriously argued, even by the opponents, at the hearings that have been held by committees of the state legislature. The question of constitutionality has been thoroughly studied by Judge Edward F. Waite, retired Judge of the District Court. His article, appearing in Volume 32, Number 4, of the Minnesota Law Review, dated March, 1948, ends with the following words: "Does it not therefore seem as certain as a matter to be determined by human judgment can ever be in advance of the actual test, that this bill, if passed in substantially its 1947 form, will be held constitutional?"

* * * * *

Asked for a comment on this manuscript and WHY THE LEAGUE OF WOMEN VOTERS WANTS A FAIR EMPLOYMENT LAW FOR MINNESOTA, two young college graduated remarked, "The opposition puts up many arguments which sound convincing but are based on hypothesis and conjecture; most of the arguments of the proponents are drawn from actual experience."

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

September, 1952

Additional Copies- 5¢

WHY THE MINNESOTA LEAGUE OF WOMEN VOTERS WANTS A FAIR EMPLOYMENT LAW FOR MINNESOTA

After a year of careful study the Minnesota League of Women Voters participated in the 1951 attempt to pass a fair employment law for Minnesota. Following further study, the May 1952 annual convention voted to resume efforts to pass such legislation.

We ask our legislators to support a law which puts emphasis on education and conciliation but which provides court procedure for ultimate enforcement in any extreme case which does not yield to conciliation. We ask their support for the following reasons:

I. Americans all believe that employment on merit is morally right; equal opportunity for equal ability is basic to the **American ideology.**

A. We believe that no person should be denied employment because of his race, religion, or national origin.
That the discrimination which we practice belies the democracy which we profess is the American paradox and the American dilemma, according to the great Swedish social economist, Gunnar Myrdal, who says, "The glaring disparity between, on the one hand, the high and uncompromising ideals adhered to in a sense by the entire nation and, on the other hand, the very spotted reality causes Americans and foreigners to accuse America of hypocrisy, but this nation is not hypocritical in the ordinary sense of the word. It is the least cynical of all nations. It confesses its sins to the entire world and labors persistently with its moral problems. And here again is the glory of America that it has a national conscience and that it does not get peace with its conscience before it has entirely reformed itself."

B. Employment on merit helps to make the theory of democratic government a reality. It strengthens our nation by
1. Clearing our conscience
2. Restoring hope and faith to our fellow-citizens who have been the victims of discrimination.
3. Setting up a machinery of justice as a recourse for those who believe their rights to have been violated. This would act as a safety valve and would prevent the development of explosive underground tensions and bitterness.

II. If we in the leading democracy of the world can put our own house in order
A. We shall hearten the free world.
B. We may be able to win the confidence of a large fraction of the 65% of the world's population who are colored.
C. We shall wrest from Communism what has been its more effective propoganda weapon against us.

III. Fair Employment is good business.
A. "The basis of the free enterprise system in America is the concept of free opportunity. It would appear to be good business to support the concept", according to John A. Davis, writing in the July, 1952 issue of Fortune magazine on fair employment without discrimination, and the success of fair employment laws in the states where they have been tried.
B. Fair employment helps to eliminate waste of potential skills of minority group workers and to satisfy critical manpower needs. "There is full evidence that the wartime national policy of nondiscrimination contributed much to the shortening of the war," according to the National Community Relations Advisory Council.

C. Fair employment stimulates our economy. Employment of millions of minority group workers in the nation or thousands in the state, at wage levels commensurate with their actual ability would create important new markets by enabling these people to spend more for homes, radios, cars, better clothes, books, magazines, etc.

D. Fair employment benefits the entire community; when minority group members formerly discriminated against are able to find employment, they disappear from relief rolls, and crime, delinquency, and disease are reduced.

E. The beneficial effects of a fair employment law would be cumulative over a long period of time. They would reverse a vicious circle which has been very costly to the American economy. As better jobs become available to qualified members of minority groups, young people of these groups would be encouraged to make the most of their educational opportunities and counselors would counsel them more fairly in accordance with their potentialities *. As minority group fathers were enabled to earn a more adequate wage, mothers will not be forced to leave young children inadequately cared for while they supplement the family income, minority group children can remain in school to complete their education and become productive citizens, and more of them can go to college.

IV. "Voluntary" plans have not produced the desired results.

A. Too often the plea for "voluntary action and education" has been used, whether consciously or not, to postpone and inhibit change. Much is said about the possibilities of a voluntary program by the opposition when legislation is under consideration, but between legislative sessions no more is heard about it. This is understandable, since employers have neither the time nor the inclination to undertake, in addition to their own business, a project requiring full time of a creative executive.

B. The Cleveland Chanber of Commerce went "all out" for a voluntary program in 1948-9, using streetcar ads, radio spot announcements, speeches,

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* In Minneapolis, which has been stressing fair employment for 5 years, with a fair employment ordinance supported and supplemented by a community educational program by civic groups, some of these results are already in evidence. The Minneapolis public schools have an excellent policy of counseling all students on the basis of their abilities and potentialites, without regard to whatever discrimination still remains but will, it is hoped, rapidly disappear in the next few years.

pamphlets, stickers, etc. After spending $31,500 in fifteen months without attaining the desired results, they chose the alternative of helping to write an FEPC ordinance for the city. The Chamber has been satisfied with the operation of the ordinance, which opened several thousand jobs never before available to Negroes. Fortune magazine (July 1952, P. 158) says, "The Chamber had learned...that a voluntary plan, while it might work, required intensive preparation, and a cost few private agencies could stand. A law is simpler, and effective because it places community sanction squarely behind a right. Some Cleveland employers, who had feared opposition by workers to hiring Negroes, discovered that the law provides an authority to back them up, and as one put it candidly, 'gets management off the hook.'"

The Illinois Chamber of Commerce late in 1950 initiated an ambitious educational program for employers. These are the only two programs of any importance of which we have been able to learn.

V. Forthright action is necessary to correct the existing evil of discrimination.

A. Progress has been made during the past decade. Most of it has come as a result of the manpower shortage, presidential fair employment executive orders, state FEPC laws, and city ordinances.

B. The fact that progress has been made in the past is no guarantee of its continuance; progress has come as the result of effort, and continued progress will require further effort.

C. The greatest hope of progress at the present time is at the state level. Not until every Minnesotan, of whatever race, creed, color, or national origin, who seeks employment, can apply for any vacancy and be confident that he will be given an opportunity to compete fairly on the basis of his merit, qualifications, and personality without discrimination, will we have fair employment in our state.

D. Even if a national FEPC law were passed it would not fulfill the same functions as a state law. Proposed national legislation would be limited to employers engaged in interstate commerce who employ 50 or more persons. This would involve less that five percent of our employers and probably not more than one third or one half of the employees who need protection.

VI. Fair employment laws have been successful where tried.

A. Fair employment laws have been adopted in the following states:

New York	1945	Oregon	1947
Indiana	1945	New Mexico	1949
New Jersey	1945	Oregon	1949 (strengthened)
Wisconsin	1945	Rhode Island	1949
Massachusetts	1946	Washington	1949
Connecticut	1947	Colorado	1951

Fair employment ordinances have been adopted in the following cities:

In Arizona, Phoenix
In California, Richmond
In Illinois, Chicago, 1945
In Indiana, Gary and East Chicago
In Iowa, Sioux City
In Minnesota, Minneapolis
In Ohio, Akron, Campbell, Cincinnati, Cleveland, Girard, Hubbard, Lorain, Lowellville, Miles, Steubenville, Struthers, Warren and Youngstown - 13 in all
In Pennsylvania, Farrell, Nonessen, Philadelphia, and Sharon
In Wisconsin, Milwaukee.

These twenty-five cities in 9 states have a combined population of over 9 million people. Over 60 million Americans, in all, or over one-third of our total population, live under some kind of fair employment law. In addition, there are some 152 laws in twenty-eight states which prohibit discrimination in certain specified occupations.

B. Enforcement policies in New York State are typical; they have set the pattern for the nation. "The Commission," says Morroe Berger, in his book Equality by Statue, "emphasizes that conciliation and education are the chief methods by which employment discrimination is to be eliminated." "SCAD (State Commission Against Discrimination) fully appreciates the danger involved in applying punitive measures to long-standing patterns of behavior based upon human attitudes. It therefore seeks a type of compliance with the law which is voluntary in some degree." "It would be of little avail if compulsive action on the basis of individual complaints resulted in temporary compliance which could only be maintained by policing operation that in the end would assume formidable proportions", says the Commission in its 1948 annual report. However, it is well to keep in mind that according to Morroe Berger, "The most important features of the Ives-Quinn law is its provision for full use of the coercive power of the state in cases where conciliation has failed to eliminate a verified discriminatory practice...In a sense,,, there is really no 'persuasion' under the statute, for the suspected violator knows, when he talks with SCAD, that the full power of the law can be applied...The first chairman of SCAD pointed out that while this reserve power did not mean that conferences were conducted under duress, it did make the respondent 'more willing to sit down and realize he had to make certain concessions.'"

C. Articles in the February 25, 1950, Business Week, the September 1950 Fortune and the July 1952 issue of Fortune cite surveys which have been made, and quote prominent business leaders representing 45 United States Corporations which have had experience with FEPC laws in five states. These business men testified that:

1. FEPC laws have not hampered employers; they have not interfered with any employer's basic right to choose the most competent man for the job.
2. Disgruntled jobseekers have not swamped commissions with complaints.
3. Practically no employee resistance has developed; the law gets voluntary acceptance by the vast majority of employers, employment agencies, and unions.
4. In one case it eliminated entirely a large and growing Communist campaign being waged among the large Negro groups.
5. Pitney-Bowes of Stamford, Connecticut, which has begun a voluntary program before legislation was enacted, said, "Many of the problems which we encountered would have been much less difficult had we had the support of legislation."

D. When the chairmen of the New York, New Jersey and Massachussetts Commissions, the three states with the longest experience with FEPC laws, testified before the Senate Labor and Public Welfare Committee, all reported that there had not been a single instance of a business leaving the state, of a mass walkout, or of a complaint by any employer that compliance with the law had resulted in a loss of either customers or revenue. On the contrary, they testified that an increasing number of concerns had come to the conclusion that FEPC laws help business by promoting a more efficient utilization of labor.

E. In our own state, Minneapolis has had a fair employment ordinance in successful operation since June 1947. During that time the Commission has handled cases by conference and conciliation, with only one public hearing and with no court action.

1. In 49% of cases listed in the 1952 report a favorable adjustment was reached; in another 40% of cases the employer was exonerated and the case dismissed. 6% were tabled for further evidence, in 4% of cases the Commission lacked jurisdiction, and 1% were still in process.
2. Encouraging progress in eliminating discrimination in numerous fields of employment is listed by the Commission and testified to by employers and labor leaders. A number of employers who opposed the law before it was passed have become convinced of its value and have testified publicly as to its success.

F. A thirty eight page report issued in June 1952 by the Human Resources Division of the National Security Resources Board, in cooperation with the US Department of Labor, lists the 36 states and municipalities that have some form of fair employment legislation and analysis the results of the work done in seven states and two cities which have had enforceable laws in effect for several years. They found;

1. About 5900 complaints of discrimination have been handled in these 7 states and 2 cities. In 54% of the 5000 for which there is data as to the findings, the agencies found some form of discrimination, which they were able to eliminate by informal conciliation, with the exception of 6 cases which required public hearings.
2. There have been only four court cases, and in no case has the ruling of a commission been reversed.
3. F.E.P.C. laws have opened many opportunities for workers previously barred because of race, color, religion, or national origin.
4. A significant improvement in the use of skills of workers formerly victims of discrimination was found in each of the areas covered by fair employment practice laws.
5. Laws containing enforcement powers were more effective than those without enforcement powers.
6. "The integration of minority groups into American industry, resulting from FEP laws and ordinances, has been accomplished to the satisfaction of employers, workers, and labor unions. Although employers generally opposed the enactment of an enforceable FEP law, many of them have since expressed their belief that such legislation...has had positive beneficial effects."

G. Fair employment laws have helped to eliminate discrimination in labor unions.

1. The New York State Commission Against Discrimination persuaded 7 unions to eliminate discrimination from their by-laws entirely. An additional 11 unions have suspended the restrictions in FEPC states. In Oregon a union was ordered to cease discriminating against Negroes.

VII. The proposed legislation is by-partisan. Both parties have endorsed it and leaders of both parties have sponsored it.

A. The Minnesota Public Opinion Poll of January 1951 indicated that 72% of Minnesota men and women favor a fair employment law.

B. 61 organizations representing church, political, labor, veterans', farmers', human relations, and educational groups, and many of the state's most prominent business and civic leaders have endorsed this legislation.

VIII. To be consistent with its traditions the League cound not do otherwise than to support fair employment legislation.

Mrs. Abbot Washburn, speaking before the 31st Annual Convention of the Minnesota League of Women Voters on May 16, 1950, said: "No League member anywhere forgets that her own organization was born out of a legal move to end discrimination in one area of civil rights. Many

League women today recall what it means to be a minority and to need governmental action to secure a certain right. League policy, formed in the twenties, stated that if human beings are to keep the peace, there must be an understanding that human beings are not to be exploited. The League's history shows that point by point, the League has worked to eliminate discriminations by law, mainly in states. Such work has included the work for extension of suffrage to the District of Columbia, abolition of the poll tax, jury service for everyone, elimination of discrimination in our immigration laws, equal pay for equal work, equal employment opportunities for members of minority groups, independent economic citizenship for women and for the preservation of the greatest degree of civil liberty consistent with national safety in wartime."

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The study by the Minnesota League of Women Voters of the objections raised by the opponents of fair employment legislation entitled HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION? (Sept. 1952) will give added and more detailed information on many points.

File Copy

LEAGUE OF WOMEN VOTERS OF MINNESOTA
84 SOUTH TENTH STREET, ROOM 406
MINNEAPOLIS 3, MINNESOTA
Atlantic 0941

September 29, 1952

Dear Civil Rights Chairmen,

We hasten to reassure you as you open this bulky envelope; it is not intended that one person alone should assimilate all the enclosed material. If you will read, first of all, "Suggested Use of Fair Employment Materials", you will see that we have divided it into moderate, and we hope, platable doses for 5 or 6 program participants.

I wish it were possible for me to adequately express to you my deep sense of gratitude for the opportunity to work with you on this civil rights program with its special emphasis on fair employment legislation. I feel strongly that we can make no more important contribution at the present time to the permanent betterment of the human race than to help to establish in our state a pattern of justice in employment, eliminating racial and religious discrimination.

Some of us have had the privilege of seeing in Minneapolis during the past five years, deserving, competent men and women with the same education, aspirations, and sensitivity as the rest of us, able for the first time to find the type of employment for which they are qualified and which they enjoy. It is a great satisfaction to see these people making good; it provides us with the courage and the enthusiasm to forge ahead, for we know that fair employment is not only right; it is feasible.

Since, however, my experience has been limited to Minneapolis, I shall have to lean heavily on you for the wider picture of any special problems which may arise in other parts of the state. We should keep closely in touch with each other.

The materials enclosed in this packet should cover the basic information now available with respect to fair employment legislation proposed for the 1953 legislative session. Since such a painstaking job was done in drafting the 1951 fair employment bill, it is generally assumed by the friends of fair employment that the 1953 bill will be much the same. We therefore enclose a digest of the 1951 bill, and shall keep you advised of any changes.

You may remember that we discussed at the state convention last spring the necessity for creating a genuine mandate from the people of the state for this legislation. We recognized the importance of achieving this as early as possible, while our legislators are still at home among their constituents. and unharried by the competing pressures of the legislative session. It is our feeling that lobbying done before January may be much more effective than lobbying done after the legislature convenes, since we hope to develope a kind of "chain reaction" of League, business men, Community, and legislators. This makes it desirable that you schedule your Civil Rights program as early as possible.

We have been advised to avoid use of the letters, "FEPC", since many people have developed an adverse emotional reaction based upon lack of information or misinformation. Some of the Republican legislators are calling it an "Equality of Opportunity Act", relying on the widespread acceptance of that principle by the American people, to give this legislation a fair hearing. We use both that terminology and "fair employment legislation".

We are assembling for you a small supplementary "library" of such interesting pamphlet materials as "An American Challenge", the brochure of the American Nurses' Association, which recounts the record of the ANA in integrating Negro nurses in all but four states in the United states.

The amount of use which you make of these supplementary materials will be dependent on the time which your group feels that it can put into the program, but because of the added interest which these pamphlets provide, we want you to have them in your hands. Since it has cost us some effort to "beg, borrow, and steal" them, and to pay postage on them, we hope that you will make them a part of your League library and will pass them on to your successor.

The "Free Enterprise" leaflets will take a little more time to put into final form, since we are submitting them to business leaders for criticism before they are printed, but we may be able to send you a preliminary proof sheet, which will give you an idea of the material which they will cover. A little later on we hope to be able to supply them to you in whatever quantity you can use.

We hope you are planning to cooperate closely with your Legislative Chairman, your Voters' Service Chairman, and your Publicity Chairman. We hope that, working together, you may be able to follow through on some of the following suggestions:

1. We believe we could provide you with a panel of human relations and fair employment experts for a public meeting in your community.
2. You should seek as early as possible to enlist the cooperation of the ministers of your community; this might be done through the local Ministerial Association. Ask your local ministers to deliver sermons against discrimination.
3. Seek the cooperation of the press; as editors for editorials, and write letters for the Letters to the Editor column.
4. Seek cooperation from other organizations in your community.
5. We hope that you have checked the answers of legislative candidates to the question as to whether or not they will support fair employment legislation, and will follow through with those who need convincing, as soon as you have built up sufficent strength in your own organization and community.

We shall be watching for any proposed legislation affecting Indians, Migrant workers, or other minority groups, and shall inform you as early as possible if any program appears to be developing on which we might wish to take action.

This job is not going to be easy, but it is going to be intensly interesting and worthwhile. I am looking forward to hearing from you.

Very sincerely,

/s/ Opal G. Gruner

Mrs. John W. Gruner
Civil Rights Chairman

P.S. Watch for the next Articulate Voter. Interesting new material to supplement your Civil Rights study.

List of Materials Included in This Kit

1. "Suggested Use of Fair Employment Materials"

2. "Why the Minnesota League of Women Voters Wants a Fair Employment Law for Minnesota"

3. "How Valid Are the Arguments Against Fair Employment Legislation?"

   Section I
   "How Would a Fair Employment Law Affect Employers?"

   Section II
   "How Would a Fair Employment Law Affect the Community?"

   Section III
   ""Do We Need a Law?"

   Section IV
   "Are there Better Ways of Achieving Employment on Merit?"

   Section V
   "Who Drafted, Who Supports, and Who Opposes this Bill?"

   Section VI
   "Is a Fair Employment Bill Workable? and Is It Constitutional?"

4. "Suggestions with regard to Conferences with Business Men"

5. "Origin and Development of the Proposed State Bill for Equality in Employment Opportunities."

6. Digest of the 1951 proposed Fair Employment Practice Bill

7. Reprint from Fortune for July 1952; "Negro Employment, a Progress Report," by John A. Davis.

8. "Our Human Resources"; 1952 report of the Minneapolis Fair Employment Commission

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

September, 1952

Additional Copies - 2¢

SUGGESTED USE OF FAIR EMPLOYMENT MATERIALS

(for Civil Rights Chairmen)

In using the material on fair employment we suggest that you keep in mind our ultimate goal, which is action -- securing the passage of the fair employment law, or Equality of Opportunity Act, as some legislators suggest calling it in 1953. We believe that you can move toward this goal and at the same time inject a freshness and interest into your program by using the following plan:

Make your Civil Rights Program a rehearsal of a conference with one or two imaginary business men of your community. Select members of your group to impersonate these business leaders and assume that they will be either skeptical or hostile to fair employment legislation. Three or four other League memebers should impersonate the League committee which is calling on them to interest them in fair employment.

Rules of the Game - Participants will study kit materials in preparation for the program, but the discussion itself will be unplanned and unrehearsed. It will duplicate, as nearly as possible, conditions of an actual League conference with an employer. The League "delegation" should have a chairman and each member of the delegation should be prepared on certain assigned aspects of the question. HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT? which you will find in your kit, is divided into seperate sections for this purpose. Each participant should have read WHY THE MINNESOTA LEAGUE OF WOMEN VOTERS WANTS A FAIR EMPLOYMENT LAW and SUGGESTIONS WITH REGARD TO CONFERENCES WITH BUSINESS MEN.

A "conference" would begin with a brief positive statement from the chairman of the delegation. The "business men" may then ask any questions they choose, or raise any objection which occurs to them, whether it is included in our outline or not. Members of the "delegation" will do their best to answer the questions convincingly, each one speaking to the questions which seem to lie in her special field.

You might devote the last 10 minutes to questions from the audience. Pass out the FREE ENTERPRISE pamphlets and the Fortune leaflets and send out the entire membership to emulate the "delegation" they have seen in action. Tell them to go out and win the community.

Your experienced "delegation", having been through a rehearsal, should now feel competent to "take on" the most prominent, the most formidable business men and legislators in your community. They should schedule a series of conferences, varying the makeup of the delegation from time to time by including one or two new members, and soliciting help and suggestions from the entire membership.

If you should care to plan a more ambitious program for members of the commnnity outside of the League, as well, we should be glad to help you secure speakers experienced in the human relations field, to strenghten or reinforce your panel. You could then invite real business men to ask questions. We don't recommend that you invite them to debate as opponents. Even if they are known to oppose FEPC assume that there are at least many points of agreement. Ask them to join in a discussion. Seek the truth objectively together; don't crystallize the opposition. When people line up on different sides of a question for purposes of argument it becomes a matter of pride not to concede even when one is convinced, and minds are closed to facts and logic. Try to win and persuade. On such questions as fair employment, where deep-seated and complicated emotions are sometimes involved, this is done much more effectively with two or three than with a large group because each person's prejudices are individual

such questions as fair employment, where deep-seated and complicated emotions as sometimes involved, this is done much more effectively with two or three than with a large group because each person's prejudices are individual and different and need to be dealt with separately. That is why we recommend the conferences. It does not help to confuse people with additional prejudices and misconceptions of others.

Business men who favor fair employment legislation and others whom you may win should be enlisted to open the minds of their colleagues on the question. The chief reason that many people oppose fair employment legislation is that they have been misinformed with regard to it. We want our Minnesota League members to not only distribute 10,000 FREE ENTERPRISE leaflets to business men and legislators in this state; we want you to see that they are read. One public relations expert who works with some of our most prominent business men says that because they are so busy the only way to do that is to read it to them!

You might give the business man one copy and, holding another in your hand while you are talking to him, you could read a bit here and there to arouse his interest and curiosity. We are doing our best to make the leaflets readable and attractive, and shall submit them to a representative group of business leaders for comment and suggestion before putting them into final form.

Use your ingenuity and imagination!

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

September, 1952

Additional Copies - 2¢

SUGGESTIONS WITH REGARD TO CONFERENCES WITH BUSINESS MEN

We have set out to create a clear-cut mandate from the people for fair employment legislation in 1953.

This legislation affects employers, so the legislators will be interested in their attitude.

Many business men have been misinformed in the past with regard to the proposed law. It is our objective to bring them the facts.

Certain members of the State Civil Rights Committee have conducted a small pilot study, making calls on prominent business leaders in Minneapolis and St.Paul, some favorable and some unfavorable. We offer you these suggestions:

1. Conferences should be held in the business man's office, during business hours.

2. Unless it is a small community or you know him personally we suggest this procedure in making an appointment. Write a brief letter something like this:

Mr. Openmind
President American Manufacturing Company
Ourtown, Minnesota

October 9, 1952

Dear Mr. Openmind,

As you perhaps know, the League of Women Voters is concerned about a fair employment practices law in our state. In taking up this matter we wish to be as practical and realistic as possible. We are therefore consulting with a few representative employers.

We are writing to request that two or three members of our Civil Rights Committee be permitted to call upon you at your earliest convenience for a brief conference. I shall telephone your office on Tuesday for a definite appointment.

Very sincerely,

Civil Rights Chairman

This will save him the trouble of writing a reply. Be politely and tactfully insistent on seeing the head of the firm, although you might indicate that you would be glad to have other members of the staff sit in on the conference.

3. Get your committee together either some day previous to the conference, or, if you are experienced and well-informed, 15 minutes or so before the conference. Plan your opening remarks to be as effective an approach as possible. Divide responsibilities or topics between the members of the committee. There should be a definite chairman who opens and closes the conference.

4. Be punctual. Let the person who made the appointment introduce all the members of the committee.

5. Except under very unusual circumstances no conference should last more than 45 minutes; half an hour is better; 15 minutes is too short.

6. Do not try to meet with a large group of opponents. Prejudice and discrimination are based on so many individual personal and emotional factors and erroneous impressions that each case should be treated more or less individually.

7. Limit yourself to the subject in hand. Avoid all extraneous issues; they are not only divisive, but they consume time you will need to bring your conference to any conclusive ending. (Remember that offering a qualified man a job does not involve anyone in an interracial marriage, but we think we can help you with that "sixty-four dollar question" if you think it is likely to come up).

8. Be pleasant, no matter what happens. We can't win all the people all the way. It is probably better to move a very negative person part of the way and plant a few new ideas than to force him too hard against his will. Begin with points on which you can expect agreement and lead up to controversial points with tact and diplomacy.

9. Be sure to listen to what he has to say. We have to understand his point of view and his worries before we can help him. Most of these worries are unjustified. We <u>know</u> fair employment legislation works. The facts of experience stand behind us.

10. If you don't know all the answers tell him you will get more information and come back again.

11. We think this might be a good approach, after the preliminary statement, or if you get into "hot water", ask him how he thinks the law would affect <u>his</u> business. If he says it wouldn't affect him ask him to support legislation which at no cost to himself with help the rest of the state and the nation. If he has genuine problems which you can't solve, write them in to us. The chances are that he may have some false impressions as to what the law would do to him. Of these you can disabuse him.

12. Be sure to hand him the <u>Free Enterprise Leaflet</u> and the <u>Fortune</u> reprint.

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

September, 1952

Additional Copies- 5¢

WHY THE MINNESOTA LEAGUE OF WOMEN VOTERS WANTS A FAIR EMPLOYMENT LAW FOR MINNESOTA

After a year of careful study the Minnesota League of Women Voters participated in the 1951 attempt to pass a fair employment law for Minnesota. Following further study, the May 1952 annual convention voted to resume efforts to pass such legislation.

We ask our legislators to support a law which puts emphasis on education and conciliation but which provides court procedure for ultimate enforcement in any extreme case which does not yield to conciliation. We ask their support for the following reasons:

I. Americans all believe that employment on merit is morally right; equal opportunity for equal ability is basic to the American ideology.

A. We believe that no person should be denied employment because of his race, religion, or national origin.
That the discrimination which we practice belies the democracy which we profess is the American paradox and the American dilemma, according to the great Swedish social economist, Gunnar Myrdal, who says, "The glaring disparity between, on the one hand, the high and uncompromising ideals adhered to in a sense by the entire nation and, on the other hand, the very spotted reality causes Americans and foreigners to accuse America of hypocrisy; but this nation is not hypocritical in the ordinary sense of the word. It is the least cynical of all nations. It confesses its sins to the entire world and labors persistently with its moral problems. And here again is the glory of America that it has a national conscience and that it does not get peace with its conscience before it has entirely reformed itself."

B. Employment on merit helps to make the theory of democratic government a reality. It strengthens our nation by
1. Clearing our conscience
2. Restoring hope and faith to our fellow-citizens who have been the victims of discrimination.
3. Setting up a machinery of justice as a recourse for those who believe their rights to have been violated. This would act as a safety valve and would prevent the development of explosive underground tensions and bitterness.

II. If we in the leading democracy of the world can put our own house in order
A. We shall hearten the free world.
B. We may be able to win the confidence of a large fraction of the 65% of the world's population who are colored.
C. We shall wrest from Communism what has been its more effective propoganda weapon against us.

III. Fair Employment is good business.
A. "The basis of the free enterprise system in America is the concept of free opportunity. It would appear to be good business to support the concept", according to John A. Davis, writing in the July, 1952 issue of Fortune magazine on fair employment without discrimination, and the success of fair employment laws in the states where they have been tried.
B. Fair employment helps to eliminate waste of potential skills of minority group workers and to satisfy critical manpower needs. "There is full evidence that the wartime national policy of nondiscrimination contributed much to the shortening of the war," according to the National Community Relations Advisory Council.

C. Fair employment stimulates our economy. Employment of millions of minority group workers in the nation or thousands in the state, at wage levels commensurate with their actual ability would create important new markets by enabling these people to spend more for homes, radios, cars, better clothes, books, magazines, etc.

D. Fair employment benefits the entire community; when minority group members formerly discriminated against are able to find employment, they disappear from relief rolls, and crime, delinquency, and disease are reduced.

E. The beneficial effects of a fair employment law would be cumulative over a long period of time. They would reverse a vicious circle which has been very costly to the American economy. As better jobs become available to qualified members of minority groups, young people of these groups would be encouraged to make the most of their educational opportunities and counselors would counsel them more fairly in accordance with their potentialities *. As minority group fathers were enabled to earn a more adequate wage, mothers will not be forced to leave young children inadequately cared for while they supplement the family income, minority group children can remain in school to complete their education and become productive citizens, and more of them can go to college.

IV. "Voluntary" plans have not produced the desired results.

A. Too often the plea for "voluntary action and education" has been used, whether consciously or not, to postpone and inhibit change. Much is said about the possibilities of a voluntary program by the opposition when legislation is under consideration, but between legislative sessions no more is heard about it. This is understandable, since employers have neither the time nor the inclination to undertake, in addition to their own business, a project requiring full time of a creative executive.

B. The Cleveland Chamber of Commerce went "all out" for a voluntary program in 1948-9, using streetcar ads, radio spot announcements, speeches,

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* In Minneapolis, which has been stressing fair employment for 5 years, with a fair employment ordinance supported and supplemented by a community educational program by civic groups, some of these results are already in evidence. The Minneapolis public schools have an excellent policy of counseling all students on the basis of their abilities and potentialities, without regard to whatever discrimination still remains but will, it is hoped, rapidly disappear in the next few years.

pamphlets, stickers, etc. After spending $31,500 in fifteen months without attaining the desired results, they chose the alternative of helping to write an FEPC ordinance for the city. The Chamber has been satisfied with the operation of the ordinance, which opened several thousand jobs never before available to Negroes. Fortune magazine (July 1952, P. 158) says, "The Chamber had learned...that a voluntary plan, while it might work, required intensive preparation, and a cost few private agencies could stand. A law is simpler, and effective because it places community sanction squarely behind a right. Some Cleveland employers, who had feared opposition by workers to hiring Negroes, discovered that the law provides an authority to back them up, and as one put it candidly, 'gets management off the hook.'"

The Illinois Chamber of Commerce late in 1950 initiated an ambitious educational program for employers. These are the only two programs of any importance of which we have been able to learn.

V. Forthright action is necessary to correct the existing evil of discrimination.

A. Progress has been made during the past decade. Most of it has come as a result of the manpower shortage, presidential fair employment executive orders, state FEPC laws, and city ordinances.

B. The fact that progress has been made in the past is no guarantee of its continuance; progress has come as the result of effort, and continued progress will require further effort.

C. The greatest hope of progress at the present time is at the state level. Not until every Minnesotan, of whatever race, creed, color, or national origin, who seeks employment, can apply for any vacancy and be confident that he will be given an opportunity to compete fairly on the basis of his merit, qualifications, and personality without discrimination, will we have fair employment in our state.

D. Even if a national FEPC law were passed it would not fulfill the same functions as a state law. Proposed national legislation would be limited to employers engaged in interstate commerce who employ 50 or more persons. This would involve less that five percent of our employers and probably not more than one third or one half of the employees who need protection.

VI. Fair employment laws have been successful where tried.

A. Fair employment laws have been adopted in the following states:

New York	1945	Oregon	1947
Indiana	1945	New Mexico	1949
New Jersey	1945	Oregon	1949 (strengthened)
Wisconsin	1945	Rhode Island	1949
Massachusetts	1946	Washington	1949
Connecticut	1947	Colorado	1951

Fair employment ordinances have been adopted in the following cities:

In Arizona, Phoenix
In California, Richmond
In Illinois, Chicago, 1945
In Indiana, Gary and East Chicago
In Iowa, Sioux City
In Minnesota, Minneapolis
In Ohio, Akron, Campbell, Cincinnati, Cleveland, Girard, Hubbard, Lorain, Lowellville, Miles, Steubenville, Struthers, Warren and Youngstown - 13 in all
In Pennsylvania, Farrell, Nonessen, Philadelphia, and Sharon
In Wisconsin, Milwaukee.

These twenty-five cities in 9 states have a combined population of over 9 million people. Over 60 million Americans, in all, or over one-third of our total population, live under some kind of fair employment law. In addition, there are some 152 laws in twenty-eight states which prohibit discrimination in certain specified occupations.

B. Enforcement policies in New York State are typical; they have set the pattern for the nation. "The Commission," says Morroe Berger, in his book Equality by Statue, "emphasizes that conciliation and education are the chief methods by which employment discrimination is to be eliminated." "SCAD (State Commission Against Discrimination) fully appreciates the danger involved in applying punitive measures to long-standing patterns of behavior based upon human attitudes. It therefore seeks a type of compliance with the law which is voluntary in some degree." "It would be of little avail if compulsive action on the basis of individual complaints resulted in temporary compliance which could only be maintained by policing operation that in the end would assume formidable proportions", says the Commission in its 1948 annual report. However, it is well to keep in mind that according to Morroe Berger, "The most important features of the Ives-Quinn law is its provision for full use of the coercive power of the state in cases where conciliation has failed to eliminate a verified discriminatory practice...In a sense... there is really no 'persuasion' under the statute, for the suspected violator knows, when he talks with SCAD, that the full power of the law can be applied...The first chairman of SCAD pointed out that while this reserve power did not mean that conferences were conducted under duress, it did make the respondent 'more willing to sit down and realize he had to make certain concessions.'"

C. Articles in the February 25, 1950, Business Week, the September 1950 Fortune and the July 1952 issue of Fortune cite surveys which have been made, and quote prominent business leaders representing 45 United States Corporations which have had experience with FEPC laws in five states. These business men testified that:

1. FEPC laws have not hampered employers; they have not interfered with any employer's basic right to choose the most competent man for the job.
2. Disgruntled jobseekers have not swamped commissions with complaints.
3. Practically no employee resistance has developed; the law gets voluntary acceptance by the vast majority of employers, employment agencies, and unions.
4. In one case it eliminated entirely a large and growing Communist campaign being waged among the large Negro groups.
5. Pitney-Bowes of Stamford, Connecticut, which has begun a voluntary program before legislation was enacted, said, "Many of the problems which we encountered would have been much less difficult had we had the support of legislation."

D. When the chairmen of the New York, New Jersey and Massachussetts Commissions, the three states with the longest experience with FEPC laws, testified before the Senate Labor and Public Welfare Committee, all reported that there had not been a single instance of a business leaving the state, of a mass walkout, or of a complaint by any employer that compliance with the law had resulted in a loss of either customers or revenue. On the contrary, they testified that an increasing number of concerns had come to the conclusion that FEPC laws help business by promoting a more efficient utilization of labor.

E. In our own state, Minneapolis has had a fair employment ordinance in successful operation since June 1947. During that time the Commission has handled cases by conference and conciliation, with only one public hearing and with no court action.

1. In 49% of cases listed in the 1952 report a favorable adjustment was reached; in another 40% of cases the employer was exonerated and the case dismissed. 6% were tabled for further evidence, in 4% of cases the Commission lacked jurisdiction, and 1% were still in process.
2. Encouraging progress in eliminating discrimination in numerous fields of employment is listed by the Commission and testified to by employers and labor leaders. A number of employers who opposed the law before it was passed have become convinced of its value and have testified publicly as to its success.

F. A thirty eight page report issued in June 1952 by the Human Resources Division of the National Security Resources Board, in cooperation with the US Department of Labor, lists the 36 states and municipalities that have some form of fair employment legislation and analysis the results of the work done in seven states and two cities which have had enforceable laws in effect for several years. They found;

1. About 5900 complaints of discrimination have been handled in these 7 states and 2 cities. In 54% of the 5000 for which there is data as to the findings, the agencies found some form of discrimination, which they were able to eliminate by informal conciliation, with the exception of 6 cases which required public hearings.
2. There have been only four court cases, and in no case has the ruling of a commission been reversed.
3. F.E.P.C. laws have opened many opportunities for workers previously barred because of race, color, religion, or national origin.
4. A significant improvement in the use of skills of workers formerly victims of discrimination was found in each of the areas covered by fair employment practice laws.
5. Laws containing enforcement powers were more effective than those without enforcement powers.
6. "The integration of minority groups into American industry, resulting from FEP laws and ordinances, has been accomplished to the satisfaction of employers, workers, and labor unions. Although employers generally opposed the enactment of an enforceable FEP law, many of them have since expressed their belief that such legislation...has had positive beneficial effects."

G. Fair employment laws have helped to eliminate discrimination in labor unions.

1. The New York State Commission Against Discrimination persuaded 7 unions to eliminate discrimination from their by-laws entirely. An additional 11 unions have suspended the restrictions in FEPC states. In Oregon a union was ordered to cease discriminating against Negroes.

VII. The proposed legislation is by-partisan. Both parties have endorsed it and leaders of both parties have sponsored it.

A. The Minnesota Public Opinion Poll of January 1951 indicated that 72% of Minnesota men and women favor a fair employment law.

B. 61 organizations representing church, political, labor, veterans', farmers', human relations, and educational groups, and many of the state's most prominent business and civic leaders have endorsed this legislation.

VIII. To be consistent with its traditions the League cound not do otherwise than to support fair employment legislation.

Mrs. Abbot Washburn, speaking before the 31st Annual Convention of the Minnesota League of Women Voters on May 16, 1950, said: "No League member anywhere forgets that her own organization was born out of a legal move to end discrimination in one area of civil rights. Many

League women today recall what it means to be a minority and to need governmental action to secure a certain right. League policy, formed in the twenties, stated that if human beings are to keep the peace, there must be an understanding that human beings are not to be exploited. The League's history shows that point by point, the League has worked to eliminate discriminations by law, mainly in states. Such work has included the work for extension of suffrage to the District of Columbia, abolition of the poll tax, jury service for everyone, elimination of discrimination in our immigration laws, equal pay for equal work, equal employment opportunities for members of minority groups, independent economic citizenship for women and for the preservation of the greatest degree of civil liberty consistent with national safety in wartime."

* * * * * * * * * * *

The study by the Minnesota League of Women Voters of the objections raised by the opponents of fair employment legislation entitled HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION? (Sept. 1952) will give added and more detailed information on many points.

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

September, 1952

Additional Copies - 20¢

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Let's make an honest appraisal of the statements most frequently offered by the opposition. How many of them are based on lack of information or misinformation?

We list herewith some of the statements which have been made against fair employment legislation. Many of them were made by one man. We then give you the answers of fair employment and human relations experts.*

Section I

HOW WOULD A FAIR EMPLOYMENT LAW AFFECT EMPLOYERS?

1. Opponents of Fair Employment Legislation have said that fair employment legislation means more government control, and that we have too much government control already.

> "Every piece of legislation that gives a power to the state to control acts of individuals, taking away their personal freedom in any way, is a step near Totalitarianism."
>
> "When the state can regulate the hiring, upgrading, and discharging of individuals by firms and individuals, we cease to have free enterprise."

Every law restricts the freedom of some people in order to prevent injury to others. Therefore, the above argument could just as well be advanced against any existing laws. It may be that some laws should be repealed and that others should not be passed. However each proposal must be considered on its own merits and not on the basis of such general statements as those above.

The proposed law grants to every citizen freedom from discrimination because of his race, religion or national origin. The only freedom which is limited by the law is the freedom to hire a less competent worker and to reject a more competent applicant because of prejudice against him. Therefore, the freedom denied to the employer is the freedom to injure others as well as himself; whereas the freedom granted by overcoming discrimination is the freedom to develop one's best skills and to advance in accordance with one's ability and industry. This law answers Totalitarianism. This law strengthens democracy and free enterprise.

2. Opponents have said that the enforcement powers provided in the law are dangerous and objectionable. The employer would be put to the expense of hiring legal counsel to defend himself from even groundless complaints, they claim.

> "The proposed legislation provides for a series of regulations, inconveniences, and penalties for our employers, 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."
>
> "Unfavorable publicity will damage even an innocent employer's reputation, subjecting him to boycotts and picketing by minority group sympathizers in the community."
>
> "If an employer does not comply with the law he can be sent to jail and kept there until he does."

The employer who conforms to the law and does not practice discrimination would not be interfered with in any way as long as no complaint was brought against him. There would be no blanks or reports for him to fill out, no red tape, no investigations. None of his time would be consumed.

---

* Many answers will be found to be identical with answers in A Reply to Otto F. Christenson's Comments on the Proposed Fair Employment Practice Legislation for Minnesota, issued in January 1950 by the Minnesota Council for Fair Employment Practice. Some of the same authors worked on both statements.

Every safeguard is provided in the law against the abuse of enforcement powers. Provision is made for the adjustment of every complaint by education and conciliation. Public hearings and court procedure is provided for only in case conciliation should fail.

Of the more than five thousand cases handled by the seven state and two municipal commissions which have been in operation for three years or more, only seven cases have gone to public hearings and only four have gone to court. All others have been settled by the conciliation process. Of the four court cases only two were concerned with exercise of enforcement powers by the commissions; the other two were instituted to test certain aspects of the authority of the commissions. In general the commissions rulings have been upheld by the courts.

The Commission to be established by the law has no power to issue orders or to impose penalties. It is a conciliation body only. There is no reason for an employer to hire legal counsel during the conciliation process. It is not a legal proceeding but is simply an informal conference, held in the employer's office, for the purpose of ironing out whatever problems may be involved. The law specifically provides that the Commission shall not make public the name of the complainant or the respondent, or any other information concerning its efforts in a particular case to eliminate an unfair employment practice through conciliation. The history of established commissions shows that every case has been handled without publicity as a matter of established policy.

If the Commission's conciliation should fail, the law provides for the appointment by the Governor of a separate Board of Review consisting of three members, one of whom shall be a lawyer licensed to practice in this state. The Board of Review would hear all the facts in the case and would either dismiss the complaint or would order any action necessary to remedy the discriminatory practice found. If either the Commission or the respondent is not satisfied with the ruling of the Board, either party may appeal the decision to the District Court. Only the court has ultimate enforcement power. Refusal to comply with an order of the court would make the violator guilty of contempt of court.

The existence of an impartial agency to investigate and adjust complaints and charges of discrimination acts as a safety valve and reduces the probability that the members of an aggrieved group will stir up trouble in the community. There is no case on record of boycotting or picketing being use in connection with any complaint handled by a fair employment commission.

3. It has been claimed that employers might be forced to hire incompetents whom they do not want and who might ruin their business.

The whole purpose of the law is to persuade employers to carry out the principle of employment on merit. No commission would ask an employer to hire a less competent person if a more competent applicant were available. In fact, the law provides exactly the reverse, that is, that an employer must not refuse to hire the most competent applicant for any given position solely becuase of prejudice against him on the basis of his race, religion or national origin.

Commissions do not question the hiring standards established by the employer, so long as they are not designed to exclude applicants from consideration on the above grounds. Commissions recognize that not only training and experience, but also personality, appearance, the ability to get along with fellow workers and many other subjective factors enter into the choice of a desirable employee. The law rejects the unsound theory that these desirable qualities are possessed only by the members of some particular racial, religious or nationality group. It recognizes

that these qualities are distributed among individuals in every group. There is not a single case on record of any employer's business having been injured by following the policies recommended by a fair employment practice commission.

4. An employer's business may be injured by hiring minority group workers because customers will be driven away.

The experience of employers who have hired the members of different racial, religious and nationality groups in public contact positions shows that this fear is unfounded. Over the past five years, the Dayton Company in Minneapolis has employed Negro workers in sales and other positions throughout the store. On the basis of their favorable experience, Donald Dayton says, "We have been operating with people from many minority groups for some time. The difficulties of integration into our organization which we feared might arise, just never did. Both the public and our own employees seemed to receive the plan with hearty approval."

Such favorable experience is in line with that of other states which have been operationg under fair employment laws, and may be explained by a number of factors. When people are seeking to buy goods or to obtain business services, they are more concerned about the quality of the goods and services, than about superficial characteristics of the people who may provide them. People often make prejudiced remarks through thoughtless adherence to old habits; they are much less likely to follow up such remarks by discriminatory action when they are offered service by a member of the group against which their remarks may have been directed. Studies have shown that people are inclined to accept the fait accompli. Prejudiced people are less likely than others to initiate any movement which goes against the mores of the group. They tend to be conformists. Most of our fellow citizens, on the other hand, are decent reasonable people who believe in equal opportunity and fair play, and who obey the law.

5. Employees may not be willing to work with members of minority groups whom an employer is forced to hire; this would cause the employer serious difficulties and ruin his business.

The arguments given in answer to question 4 apply with equal force here. We might add that there are very few instances under existing fair employment practice laws in which an employer has been "forced" to hire any particular applicant. In almost all cases, the work of the Commission has caused the employer to study the problem and to examine the experience of other employers in dealing with it. He has thus become convinced that the difficulties which he fears will not arise. He has then proceeded to employ the members of formerly excluded groups, not because of force exerted by the Commission, but because they were the best qualified applicants available for particular jobs.

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."

Minority group members who qualify for a given job are likely to have education and background similar or equivalent to that of their fellow employees. To many who have thought of minority group peoples in terms of stereotypes only, this is an educational and a broadening experience.

6. 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. Even the opponents of fair employment legislation remark that 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 complaintants 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 suspicion and misunderstandings. The commissions have operated to ease tensions and to build improved relations between the members of different racial, religious and nationality groups. When there is no law and no commission the minority group member who believes himself to be discriminated against has no recourse, and is likely not only to become embittered, but to pass that bitterness on to his fellows.

7. The opponents sometimes claim that the law would create other serious problems for employers. Five different arguments may be grouped under this heading.

(a) The railroads could no longer employ only colored people for dining car and Pullman service; this would put them to much expense and inconvenience.

It is true that it is just as discriminatory to exclude qualified white workers from consideration for any job, as it is to exclude qualified workers from other groups. There is no reason why prohibiting such discrimination by law should cause the Pullman Company or any other employer any expense or inconvenience. It would simply give them a broader labor market from which to select the best qualified workers.

(b.) "If Southern mothers and wives and daughters are to be examined by Negro doctors.....our Southern customers will simply go to some other state and hospital where no FEPC law exists. Our Minnesota hospitals have become a great institution for the good of all mankind besides bringing millions of dollars into this state. Should their success and progress be endangered by a law of this kind?"

Since no hospital would be required to employ any but the most skilled, competent, and ethical doctors which it could find, no patient would be in any way endangered. And since no patient would be required to consult any particular doctor he would be free to indulge his personal preferences, even though they involved racial or religious prejudice. At the same time patients from all over the world, of varying skin colors and religions, who likewise patronize famous hospitals, would be favorably impressed by the honesty of American democracy.

In New York City, where the law against discrimination in employment has been in effect over the longest period of time, the major hospitals successfully employ Negro physicians, as well as the members of other racial and religious groups. Numerous examples can be given in the South, as well as in other parts of the country, in which white patients have selected Negro physicians because of their professional skill.

Integration is daily becoming less difficult, even in the South. The American Nurses' Association publication, An American Challenge, states; "The American Nurses' Association....has always sought to extend its membership to all professional registered nurses, regardless of race, color, or background....It is

ANA's policy...to eliminate discrimination in job opportunity, salary or other working conditions...To integrate minority groups within the framework of membership...To establish the integrity of every member of the ANA as a person, as a citizen, and as a member of the hreat and honorable profession of nursing."

The first professional Negro nurse was graduated in New England in 1879 and the American Nurses' Association accepted registered Negro nurses into membership as early as 1898, or one year after it was founded.

Since fifteen states and one district excluded qualified nurses on a racial basis from membership in their alumnae associations, which were then the ANA basis of membership, a National Association of Colored Graduate Nurses was formed in 1908, and ANA cooperated closely with it and assisted in financing it.

After World War II, however, one Southern state after another removed its restrictions against Negro nurses, so that they are now accepted in all but four of the 48 states. Partly as a result of the competent service of 512 commissioned Negro nurses in the United State Army and over 2000 Negro nurses enrolled in the United States Cadet Corps during World War II, the American people began to recognize that nursing and the need for nursing are universal, and that professional competence should be the criterion.

Typical of the progress being made in inegration in the South today is the fact that a Negro nurse has been twice elected to the board of directors of the Florida State Nurses' Association and in North Carolina recently Negro and white nurses attended a state Nurses' Association meeting together in one of the best North Carolina hotels with no difficulty.

(c) The bill would prevent employers engaged in defense work from screening out poor security risks and subversives.

This is a completely mistaken idea. The law contains a specific provision authorizing the employer to comply with all the security requirements which may be established by state and federal government agencies.

(d)"Some jobs require discrimination". "It is good business practice to employ a Norwegian salesman in a Norwegian community and to discriminate against all others". How far would a Negro salesman representing a Minnesota company get in Alabama?

The jobs which "require" discrimination, such as those in religious institutions, are exempted from coverage by the law. A requirement that a salesman must know the Norwegian language if he is to sell in a Norwegian community would not be a violation of the law. The argument that a salesman must be of the same racial, religious or nationality group as his customers is simply not true. The skill of the salesman far outweighs the influence of his race, religion or national origin in determing the success of his work.

(e) The bill would prevent employers from exercising their judgment in considering such qualifications as personality traits, temperament, suitability, compatibility, apperance, etc., in building up their personnel.

This is completely false. The law and the commissions recognize the importance of all the foregoing factors in selecting the most desirable employee for any particular job.

8. This legislation would prevent business expansion within or into the state and would drive business out of the state. Cometitor states do not have such a bill. Taxes and freight rates in Minnesota are already unfavorabe to business;we are a long way from raw materials and from large markets, and our workmen's compensation laws and resulting insurance rates are a burden to industry.

A fair employment practice law is an aid and not a burden to industry, so there is no reason why it should prevent business expansion or drive business out of the state. It opens up a larger labor market. The fact is that states and cities operating under FEPC laws have not lost business to other states. On January 5, 1949, four year after the establishment of the New York State Commission Against Discrimination, Governor Dewey states; "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 billion dollars --- an all time high." The executive officers of the Minneapolis Chanber of Commerce have stated that no case has come to their attention in which the existence of the Minneapolis Fair Employment Practice Ordinance has ever been discussed by a business firm in connection with a decision to either abandon or to establish a business enterprise in Minneapolis.

9. Certain minority groups will not work tegether; there might be bloodshed if employers were not permitted to segregate Mexican Nationals, Puerto Ricans, Jamaicans, Bahamans,etc.

Of course, it is true that intergroup misunderstandings 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. An effective state fair employment practice commission would greatly help well-intentioned employers to solve any conflicts which might develop between workers who might speak different languages and have different cultual backgrounds.

The argument that people of different groups cannot work together in harmony and good will is simply the product of ignorance and prejudice. Experience is the answer. Whereever FEPC laws have been passed, 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. Firms that have given fair employment practice a fair trial have found their fears unjustified.

10. Employers are justified in asking, "Granted that fair employment laws have been well administered in most of the states which have passed them, as well as in Minneapolis, how do we know that with a new Minnesota fair employment administration we would not fall victims to a prying, meddlesome or tyrannical bureacracy?"

Fortunately a national precedent has been set and a pattern for fair employment administration established. Administrators have taken pride in their constructive and conciliatory educational approach and their remarkable national record of 99.86% success in handling cases by negotiation without resort to public hearing or court action. Surely Minnesota business leaders who would be included on the commission the Governor would appoint could be expected to assure the selection as administrators a qualified staff of judgment and integrity.

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These questions were asked us at the Rochester Convention by our own members:

1. "Must an employer employ drunken Indians?"
2. "Indians are our only problem. They won't work."
3. "What recourse do employers have if employment of Indians, or Negroes or other minority groups causes stable help to leave their employment. Then can the employer fire them?"

Our answers to these questions are:

1. No. No employer would be required to employ drunken Indians, or drunken Norwegians, or drunken Irish, or any other drunken applicant. He would, however, be required to give a sober industrious qualified Indian the same consideration as any such applicant whose skin was white.
2. Any Indian who literally won't work (we assume you mean after he is hired) can be fired for incompetence the same as any other employee, and a fair employment commission would stand back of the employer who fired him. Wether or not he was an Indian should have nothing to do with the case.
3. Experience shows that employees don't quit their jobs if they know that an employer means business in obeying the law. They may threaten to do so, but when it comes to a "show down" they think better of it. No, the employer could not fire a competent minority group worker because someone else was prejudiced against him. Yet after several years experience in New York, New Jersey, and Massachusetts, the Chairmen of these 3 commissions testified that no employer in any of the 3 states had complained of this kind of difficulty.

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Has your community a special problem also? If so we should like to help you with it.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section II

HOW WOULD A FAIR EMPLOYMENT LAW AFFECT THE COMMUNITY?

1. Opponents of Fair Employment Legislation have said that the law is itself discriminatory; it is class legislation. It discriminated against the employer. It discriminates against the majority, giving members of minority groups special privileges. Employers will feel compelled to discriminate in favor of persons belonging to minority groups.

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

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 irrelevant 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.

The law applies to employers, employment agencies and labor unions. It benefits employers and certainly does not discriminate against them. In this connection, York Langton, Sales Extension Manager of Coast-to-Coast Stores, says, "The law backs up the businessmen, labor leaders, and employment agency managers wo want to practice the sound policy of non-discrimination."

2. It would increase our tax burdens.

We believe that the law would reduce tax burdens rather than increase them. The very moderate cost of administering the proposed law would be more than offset by two positive factors. On the one hand, there would be a reduction in the costs of police protection and health and welfare services now required to combat the poverty, delinquency and crime which are among the unfortunate by-products of discrimination. On the other hand, the increased incomes which would result from the full useof every worker's higher skills would result in increased tax revened to the state.

It would be much more economical and efficient to administer a state-wide fair employment law than a city ordinace in one or more cities. It would also be cheaper and more efficient to administer a State fair employment law than a voluntary education program supported by employers. The Cleveland Chamber of Commerce spent $31,500 in 15 months for an unsuccessful voluntary education program before it agreed to a compulsory FEPC ordinance. Yet the amount which was requested for a year's budget for the proposed Minnesota state law is only $40,000.

3. This type of legislation might develop heretofore nonexistent antagonism to members of minority groups and create more problems that it would solve. Forced association will complicate and accentuate problems which are best worked out by development of a relationship of friendly cooperation. Employers and employees, who, if left to themselves would be willing to effect integration by gradual degrees, will be resentful and resistant if forced to do so by law.

There has been no evidence that this legislation creates prejudices that did not already exist. Bringing our hidden prejudices into the light is the best way to get rid of them.

In actual practice, the commissions have not found strong general feelings of prejudice that would cause people to be unwilling to work beside the members of other groups. They have found instead ignorance, 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.

There is no disparity between "development of a relationship of friendly cooperation" and fair employment legislation. Friendly cooperation has been the basic principle on which fair employment commissions throughout the country have been operating. Experience has shown that employees are inclined to accept and obey fair employment laws, rather than to resist them. A wise and public-spirited employer would do well to accept the help of experienced and qualified fair employment administrators in solving any problems which might arise in connection with integration. His attitude toward the law is likely to be reflected by his employees.

4. If we pass a fair employment bill in Minnesota we shall be faced with large-scale immigration of Negroes from states which do not have such laws; they will bring with them serious problems of ignorance, disease, delinquency, housing, law enforcement, unemployment, and dependency. They will compete with our present citizens for jobs. "The Minnesota business man knows that already our labor supply exceeds our labor market."

A migratory movement of both Negro and white workers out of the South and toward the North and West has been under way since the first world war. It waned during the depression and then continued in increasing volume during the second world war and since that time. There is no evidence that the presence of fair employment practice laws has anything to do with the amount of migration into particular cities or states. The people, both white and Negro, are making these moves because of the greater opportunities and the more favorable living conditions in the North and West than they experience in the South. A migration from rural to urban areas all over the country is another important trend.

Analysis of 1950 census figures shows that the largest increase in non-white populations over the 10 year period between 1940 and 1950 did not take place in the Northeastern section of the country, which has the largest percentage of FEPC states and also the states which have had fair employment laws the longest time, but in the Western states, where there is the largest increase in the white population also, and where only one state had adopted a fair employment law before 1949. Three quarters of the states in this Western block do not have fair employment laws yet. California, where the non-white population has increased more than 100%, is not an FEPC state. We should bear in mind, also, that even a large percentage increase in non-white population does not represent such a startling change when we realize that only Missouri, Illinois, and Michigan (all non-FEPC states) among the North Central states have a concentration of a little over 7% non-white population, and that a 74% increase in Oregon brings the non-white population of that state to a little less than 2% while the South still retains 68% of the Negro population in the country.

Since, however, there is a definite and continuing trend for Southern populations to migrate, fair employment laws or no fair employment laws, we should be wise to set up the kind of favorable conditions which will encourage them to develope their highest skills and become productive and self-reliant citizens. This constitutes and additional reason for the adoption of the state law against discrimination in employment.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section III

DO WE NEED A LAW?

1. The opponents sometimes say that Minnesota does not need fair employment legislation.

(a) "People in Minnesota do not discriminate".

It is noteworthy that the same person who made this statement also wrote "Every intelligent person knows that a problem does exist." (He was pleading for a voluntary plan). The fact is that the practice of discrimination in the state is widespread and serious. It will not correct itself, but it can be readily corrected by forthright action. An effective instrument for taking such action will be created by the adoption of the proposed bill.

(b) In November, 1949, the Twin Cities were given a national award because they had been "outstanding in their treatment and conduct of racial problems".

The award given by the National Conference of Christians and Jews does not prove that there is no need for a fair employment practice law in Minnesota. The award was made, not 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, the Mayor's Council on Human Relations, and other agencies, it made substantial progress toward increasing employment opportunities for minority workers.

The opponents of the bill made no contribution whatever, through educational work or otherwise, to the progress upon which the award was based. Those who contributed most to that progress advocate the enactment of a state fair employment practice law.

2. "No acute problem now exists in Minnesota

(a) We have only about 22,000 colored people in our whole state."

Even this relatively small number represents an important source of manpower. Futhermore, the problem of discrimination is not limited to non-white applicants; the members of different racial and religious groups face serious barriers in some areas and in some types of employment. Finally, the question of discrimination is not simply a matter of statistics but is an ethical problem. The welfare of 22,000 of our fellow citizens should be of concern to all the people in the state. We must take vigorous action against disrimination if we are to prove our faith in democracy and our support of the principles of human dignity and individual freedom upon which our nation was founded.

(b.) "There is practically no unemployment of minority group workers — no higher percentage than of any other group."

Studies of this question by such agencies as the United States Employment Service, the Governor's Interracial Commission, the Minneapolis Self-Survey, the Urban Leagues of Minneapolis and St.Paul, and the N.A.A.C.P., have shown the reverse to be true. Consideration of this question is not complete and realistic unless it takes into account the fact that minority group workers tend to be the last hired and the first fired, as soon as a recession sets in.

However, the principal problem attacked by the law is not the problem of unemployment but the problem of under-employment. The problem of unemployment of minority group members, or of any other workers, is not serious in today's prosperous labor market. Nevertheless, there is a great loss of potential productive power when college graduates, skilled machinists, or able sales men and women are restricted to laboring jobs. Still more serious is the failure of the members of minority groups to obtain the training which would best utilize their potential skills.

(c) More Negroes are employed in St.Paul than in Minneapolis, although Minneapolis has an FEPC ordinance and St.Paul does not.

Statements that more Negroes are employed in St.Paul than in Minneapolis or that they hold more responsible jobs in St.Paul are without foundation. No comprehensive studies have been made which would warrant comparative statements. Progress has been made in both cities. Many people think that they observe somewhat more favorable patterns in Minneapolis. The two cities interact on each other. Many organizations with branches in both cities cooperate closely, and a number of stores have branches in both cities. There is competion and rivalry between them. Likewise they benefit by each other's experience. Furthermore, there have been clear indications that the prospect of the State Legislature's enacting a fair employment law in the near future has stimulated progress in St.Paul.

3. St.Paul employers attempted to set up a voluntary plan; the St.Paul Urban League turned it down.

The refusal of the St.Paul Urban League to endorse certain features of the so-called voluntary FEPC proposed by a group of St.Paul employers was based on the conviction that the plan offered no substantial benefits and was designed primarily to prevent the enactment of a state fair employment practice law.

The position of the St.Paul Urban League points up one imprtant fact which advocates of voluntary plans fail to take into consideration. Minority group members who believe themselves to be discriminated against do not have faith or confidence that they can obtain even-handed justice from grievance machinery which employers would set up voluntarily. There is nothing surprising about this: we would not expect labor unions to accept arbitration boards or bargaining machinery set up voluntarily by management, and controlled completely by employers.

There is a place for an employers' voluntary program, but it should be supplementary to legislation, and should not try to substitute for it. Employers who advocate a voluntary program unsupported by law are either using this device to pigenhole and postpone action, or they have failed to make as careful and evaluation of the probable cost in effort and money of such a program as they would make of any other proposed business project. Experience has demonstrated that the voluntary plan alone is ineffective, expensive, and full of headaches. (See Section IV)

4. Where FEPC commissions have existed there have been few complaints, and many of these have been found to be unjustified.

The number of cases dealt with is no measure of the value of this legislation or of the effectiveness of the commission's work. It is not violation but compliance with the law that is the measure of its value. Experience has shown that the adjustment of a single case in one establishment has often improved the employment patterns in many kindred instituions. 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.

5. We are not ready to take such a sweeping step.

There is nothing experimental or revolutionary about the enactment of a law against discrimination in employment. Four states and 1 city have had fair employment laws since 1945, 7 states and 3 cities have had them since 1947, and a total of 11 states and 25 municipalities are now operating under fair employment legislation. We have found in the literature no complaints from employers where these laws are in force; the only criticism has come from a few people who have felt that the commissions have been too lenient, and that they have leaned over backwards to avoid using enforcement. We must realize the critical urgency of action against discrimination if we are to win the fight for freedom and democracy throughout the world. In this connection, Abbott Washburn, former Public Serviced Director of General Mills, more recently Executive Vice-Chairman of the Crusade for Freedom, and now in charge of General Eisenhower's Denver campaign headquarters, says: "The best answer to Communist slander is making democracy work better here at home. One of the best ways to do this is to pass sound social legislation of fair employment type, legislation designed to strengthen our democratic freedoms. Such action strengthens our own country. It heartens the free world."

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION

Section IV

ARE THERE BETTER WAYS OF ACHIEVING EMPLOYMENT ON MERIT?

1. The opponents sometimes state that it can be done better by education than by legislation: "you can't legislate morals and human understanding." "Let us work it out in a Christian manner." The objectives of the legislation can be better achieved by setting up educational agencies without enforcement powers. "The problem is being met in Minnesota by education and understanding...dozens of firms are added each year to the hundreds already employing colored people."

The fair employment practice acts do not attempt to legislate morals; they merely prohibit illegal acts of discrimination. There is no conflict between the proposed legislation and a program of education. This legislation provides for the use of every effective educational device.

The kind of education that changes attitudes of prejudice is that which comes about when, on a normal, everday 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.

In this connection, Lloyd Hale, President of the G.H. Tennant Company of Minneapolis, and Chairman of the Minneapolis Industrial Manpower Committee, said, "While I believe civil rights problems are solved only through education, good legislation is helpful in speeding up the educational process." Likewise, Harry A. Bullis, Chairman of the Board of General Mills, Inc., recently wrote: " I believe the greatest value of the FEP ordinance has been educational. It has caused management to review employment policies and to endeavor to get rid of old prejudices."

We may cite here again (See Section II, 2) the very extensive and ambitious attempt of the Cleveland Chamber of Commerce to achieve fair employment by a voluntary educational program. After a year of experience and study, they abandoned the voluntary plan and supported the adoption of a compulsory fair employment practice law. The following excerpt from an editorial from The Cleveland Press, dated January 31, 1950, covers this point: "VOLUNTARY FEPC DIDN'T WORK: NOW CITY GETS THE REAL THING. Cleveland can be proud of its new fair employment practices ordinance -- proud that it is again a pioneer in the field of intelligent race relations and proud that the decision was taken deliberately and thoughtfully.

"In the process, this community learned a lot which should be helpful, Most important, we learned that a voluntary FEPC, no matter how diligently and sincerely run, is almost valueless.

"Cleveland was fortunate indeed that its Chamber of Commerce set up and operated a thorough, conscientious and spirited voluntary FEPC, Its program was so good, in fact, that Philadelphia, which has compulsory FEPC, borrowed many of the educational and promotional ideas generated by Cleveland's excellent committee.

"But the voluntary plan simply wasn't enough. There was no noticeable change in the employment of minority groups. There was plenty of goodwill, but practically no jobs.

"Yesterday, the Chamber's committee in effect admitted failure. With a minor change, they agreed to a compulsory FEPC, which Council promptly passed, 25 to 7.

"The important thing is that Cleveland has legislated with courage against racial and religious discrimination in employing its citizens."

2. Some opponents of a state fair employment law have claimed that this is a problem which should be handled by each local community individually; it chiefly concerns the three large cities.

It is undoubtedly more efficient and will involve less total cost to the citizens of the state to deal with the problem of discrimination in employment through a single agency with state-wide coverage than through setting up seperate agencies in each local community. It is not true that the problem is limited to the three largest cities or that it can be handled adequately by the city governments of Minneapolis, St.Paul and Duluth. For one thing, an important portion of industrial employment in the Minneapolis, St.Paul and Duluth metropolitan areas lies outside the city limits of these communities and outside the jurisdiction of their municipal government authorities. Furthermore, the largest racial minority in the state is the American Indian group. Only a very small proportion of the Indian people in the state reside in the principal cities. In this connection, the ethical aspects of the problem should again be emphasized and the citizens of Minnesota should not lose this opportunity to take positive action in support of freedom and democracy throughout the state.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section V

WHO DRAFTED? WHO SUPPORTS? and WHO OPPOSES THIS BILL?

1. Opponents have said that the bill is supported by impractical idealists, politicians, and radicals. "It is strictly Marxian socialism in nature." "This type of legislation was the main plank of the Communist platform - also of Henry Wallace's platform." "This bill is proposed by politicians who are wooing the votes of minority group members."

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 inalienable 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 a fair employment law was New York in 1945, with bipartisan support in a legislature which had a Republican majority and under the leadership of Republican governor Thomas E. Dewey. While support of fair employment legislation usually cuts across party lines, Republicans point with pride to the fact that of the other 10 states which have passed fair employment legislation, 6 were enacted by Republican legislatures and Republican governors, 1 by a Republican senate and a Republican governor, and 1 by a Republican legislature.

Democrats, on the other hand, remind us that in 1941 President Roosevelt's Executive Order 8002 first established a federal fair employment practices commission as a war measure. In 1947 President Truman appointed the Committee on Civil Rights, headed by Charles E. Wilson, President of the General Electric Corporation, which, after an exhaustive study of discrimination against minorities in all phases of our national existence, recommended fair employment legislation at both the state and national level. Pursuant to these recommendations President Truman directed the establishment of a Fair Employment Board in the Civil Service Commission which administers an executive order prohibiting discrimination in Government employment. The President also directed that all government contracts include a provision that private contractors will treat applicants for employment and employees non-discriminatorily. A group of distinguished private citizens was appointed to oversee administration of the order.

In 1948 both Republicans and Democrats included Civil Rights planks in their national platforms calling upon Congress to safeguard the rights of all citizens of any race, color or religion, to equal opportunity for employment.

Governor Adlai E. Stevenson has demonstrated clearly where he stands on fair employment legislation; he worked for a fair employment law in his own state of Illinois and declared himself openly, even in the Southern state of Virginia as standing strongly behind the national Democratic Civil Rights plank, which calls for the enactment of a Federal fair employment law. Gen. Dwight Eisenhower has said that this is a problem for the individual state to handle, that he would try to get the states to pass such laws. Although he said "in law itself we do not find the answer always", he added, "However, I really believe that each state should get this thing on its books in such a way so that each of its citizens may understand exactly where it is.. where he is." He also said "My own belief is this: No true American worthy of the name would want deliberately to exclude another American from full opportunity to enjoy every right guaranteed him under the Constitution. If he does, there is something wrong, and we must get at it."

It is difficult or impossible to compare the contributions made to fair employment legislation by the two major parties in this country. Whatever Communist support there has been, on the other hand, has been of comparatively minor importance and has been a liability, rather than an asset.

The bill which was introduced into the 1951 session of the Minnesota Legislature, and of which we send you a copy, was drafted, as the accompanying statement tells you, by a large and representative group of Minnesota citizens, including legislative leaders of both Republican and Democratic-Farmer-Labor parties, businessmen, civic leaders,

labor representatives, representatives of minority groups, and law and human relations experts. It was endorsed by both parties, was sponsored in both the House and the Senate by legislative leaders of both parties, and was urged by Governor Youngdahl. The 1952 state convention of both parties have again included fair employment legislation in their platforms, and both candidates for the governorship and also for the lieutenant governorship have declared themselves in favor of it.

The endorsements indicated in the answer to the next question, and in other parts of this report, from thoughtful, responsible, and informed businessmen and civic leaders who have gone on record in support of this bill will show that any implication that this proposal is Communistic in origin, in purpose, or in effect, is simply a false statement designed to arouse emotional antagonism to the bill.

The number of minority group voters in the state is not large enough to constitute a threat to any office-seeker. It is the 72% of Minnesota citizens who have declared themselves in the Minnesota Poll as favoring fair employment legislation, of whom our representatives in the legislature should take cognizance. 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.

2. The opponents sometimes say that many people are opposed to the bill. "Industry, large and small, is opposed to it."

Most of the opposition to the bill is based on lack of information or misinformation as to the actual operating experience with this kind of legislation in other cities and states. Informed businessmen favor this proposal. The following names of responsible business leaders in Minnesota are taken from the list of those who supported the bill in 1951:

Julius Barnes, Duluth, President, Barnes Shipbuilding Co., Former President of U. S. Chamber of Commerce

Donald C. Dayton, Minneapolis; President and General Manager, The Dayton Co., Chairman, Minnesota Retail Federation, Inc.

Harry A. Bullis, Minneapolis; Chairman of the Board, General Mills, Inc.

Bradshaw Mintener, Vice-President & General Counsel, Pillsbury Mills; former chairman, Minn. Methodist Conference

S. S. Grais, President, Gray's Drug Store, Inc., St. Paul

Lloyd Hale, Minneapolis; President, G. H. Tennant Co.; Chairman, Minneapolis Industrial Manpower Committee

D. W. Onan, Minneapolis; Chairman of the Board, D. W. Onan & Sons, Inc.

Campbell W. Elliott, Hopkins; Vice-President in charge of Industrial Relations, Minneapolis-Moline Power Implement Company

York Langton, Minneapolis; Trade Extension Manager, Coast-to-Coast Stores; President, Minnesota United Nations Association

Warren Burger, St. Paul; Attorney, Vice-Chairman, St. Paul Council of Human Relations

George M. Jensen, Minneapolis; Vice-President, The Maico Co., Inc.; Chairman, Minn. Council for FEPC

Arthur Randall, Minneapolis; Vice-President in charge of Personnel, D. W. Onan & Sons, Inc.

Stuart W. Leck, Minneapolis; President, James Leck Co., Builders; President, Citizens League of Greater Minneapolis

Abbott Washburn, Minneapolis; former Public Services Director, General Mills, Inc. now in charge of General Eisenhower's Denver hdqtrs.

These are not only some of the most outstanding names in Minnesota business, but most of them had been operating in the one city in the state where a fair employment ordinance had already been in force for three years.

3. In 1951 the claim was made that "Forty states and our American Congress have turned it down." This statement is definitely erroneous. The National Congress, due to the failure of the Senate to impose cloture on debate, has not yet had an opportunity to either accept or reject a Federal fair employment practice law.

As to the 40 states, quite the contrary of the opponent's statement is true. Beginning with New York in 1944, attempts have been made to pass fair employment laws in 27 states. 11 states have now passed laws, and in addition 25 cities with an aggregate population of over 9 million people have passed ordinances. This brings the total of people who are successfully doing business under some form of fair employment legislation to over 60 million in 18 states, or well over 1/3 of the population of the United States. If we add to this the states which have anti-discrimination legislation applying to some but not all occupations, or to religion but not to race, we find only 8 states which are not included. (There are at least 152 of these laws in 28 states) 8 city ordinances were passed in 1951 and 5 more have already been added to the list in 1952. No state has repealed its fair employment laws.

Here we see the same pattern that has marked every new approach to the solution of human and economic problems — workmen's compensation laws, child labor laws, free public education came first in the more progressive states and were gradually adopted throughout the nation.

Fair Employment marches on! We hope that Minnesota, as a great progressive state, will assume its proper position of leadership in this movement.

HOW VALID ARE THE ARGUMENTS AGAINST FAIR EMPLOYMENT LEGISLATION?

Section VI

IS A FAIR EMPLOYMENT BILL WORKABLE? AND IS IT CONSTITUTIONAL?

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

(a) It has been contended that it is impossible to prove discriminatory practices in employment.

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 advertising, or discriminatory job orders. In other cases, an employer's pattern of rejections or statements made to personnel officers 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.

(b) How can an enforcement agency determine whether discrimination exists in an employer's mind? "The commission will 'guess' many an employer guilty."

The law deals with acts of discrimination, not with discrimination in an employer's mind. The burden of proof always rests with the complainant in supporting a charge of discrimination. It is true that this proof is often difficult to establish. Where it cannot be established the case is either dismissed or tabled for further evidence. The Minneapolis Fair Employment Commission, after five years' experience, reported that in 40% of all cases brought before it, no discrimination had been found and another 6% were tabled for further evidence. In only 49% of cases was the complaint judged to be justified, E very case, however, had educational value for either the complainant or the employer or both.

Comparison of the qualifications of the rejected applicant and others employed, and examination of the employment records of the company to determine whether it employs any minority group members are two kinds of evidence which are sometimes useful, although not necessarily conclusive unless supported by other evidence. The ultimate recourse of an employer who feels that he has been unjustly accused is an established court of law, where evidence must meet the same standards as for any other law.

As a practical matter, only four out of more than five thousand cases in the entire nation have been taken to court since the first commission was establised in 1945 (See Section I, 2). In all of the other cases, proof of discrimination was not a critical question. The conciliation process simply served to make certain that a sound policy of employment on merit was established and maintained. The commission is concerned primarily not with proving guilt, but with establishing employment on the basis of merit.

2. "It does not seem....that the problem of the Jew and the Negro and sufficiently alike that they can both be dealt with in the same manner, either by law or otherwise"

This is not true, and this argument is simply designed to divide some of the groups supporting the proposed bill. The practice of discrimination in employment is essentially the same regardless of the group against which it may be directed. Fair employment practice laws protect every individual against discrimination because of his race, color, regligion or national origin. More complaints are received from some groups than from others because the members of these groups more often encounter the barriers of discrimination.

The procedures established by the law have been proved to be sound and effective instruments for dealing with the problem of discrimination, wherever it may be found. In Minneapolis both racial and religious minorites had recourse to the law; 78% of complaints referred to the Minneapolis Fair Employment Practices Commission were based on alleged racial discrimination and 18% were based on alleged religious discrimination.

3. A fair employment law would be unconstitutional.

No competent lawyer seriously questions the constitutionality of the proposed bill. The suggestion that the proposed law would be unconstitutional has not been seriously argued, even by the opponents, at the hearings that have been held by committees of the state legislature. The question of constitutionality has been thoroughly studied by Judge Edward F. Waite, retired Judge of the District Court. His article, appearing in Volume 32, Number 4, of the Minnesota Law Review, dated March, 1948, ends with the following words: "Does it not therefore seem as certain as a matter to be determined by human judgment can ever be in advance of the actual test, that this bill, if passed in substantially its 1947 form, will be held constitutional?"

* * * * *

Asked for a comment on this manuscript and WHY THE LEAGUE OF WOMEN VOTERS WANTS A FAIR EMPLOYMENT LAW FOR MINNESOTA, two young college graduated remarked, "The opposition puts up many arguments which sound convincing but are based on hypothesis and conjecture; most of the arguments of the proponents are drawn from actual experience."

Ella Sahonney

LEAGUE OF WOMEN VOTERS OF MINNESOTA
84 SOUTH TENTH STREET, ROOM 406
MINNEAPOLIS 3, MINNESOTA
Atlantic 0941

November 24, 1952

To: Civil Service Chairmen
From: Mrs. Arthur Down, State Civil Service Chairman

The enclosed material has been prepared with the view of enabling League members better to understand civil service in general and the Minnesota State Civil Service Department in particular. The latter is the system which the League was instrumental in creating.

An attempt has been made in the material to provide answers to some of the queries most commonly asked about civil service. One of these is the distinction among the various civil service systems operating in Minnesota. (Time does not permit a discussion of each of the systems.) Another is the relationship between the civil service agency and the finance agency. Others involve matters of salaries, classification of positions, examinations, etc. These topics are dealt with in considerable detail because they cannot be explained without giving a background of the principles involved and how they actually work. You will find the state employees' manual, Off on the Right Foot, published by the state Civil Service Department, a great help to you. It comprehends all of the aspects of the civil service system which affect each employee, yet it is concise and understandable.

Because this is a legislative year, League members will be especially interested in watching for bills that affect civil service. This material includes a discussion of the recommendations made by the Little Hoover Commission which require legislative action to effect. The one we are already familiar with is veterans' preference. You will note that the Commission's recommendation agrees with that of the League.

We urge that you watch legislation to change veterans' preference. Bills which have been introduced in previous sessions failed to provide the changes which the League supports. Proposed legislation is almost certain to occur in two other areas. "The open back door" recommended by the Little Hoover Commission is one. The other is salaries of state employees, especially because the Bureau of Labor Statistics is contemplating a change in the method of computing the consumers' index upon which salary adjustments have been based. These topics stimulate animated discussion among legislators. We hope they do so with your League members.

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

November, 1952

Additional copies- 17¢

CIVIL SERVICE IN MINNESOTA

INTRODUCTION

Civil Service is on the agenda again this year after a year's absence. As Mrs. McNamara said in presenting the argument for its adoption at the State Convention last May, "...everyone still regards the League as the 'mother' of our present system, and no matter how far our interests have strayed from the subject in recent years, we seem to have acquired, due to our earlier leadership, an unavoidable responsibility for taking the initiative in any re-examination of the system as it now operates, in our state." "After thirteen years of operation through an extremely difficult period," she added, "stresses and strains have developed that require the understanding and informed cooperation of citizen groups such as ours if the system is to improve and meet the changing needs of the times, as it must."

The period during which civil service has been in operation in Minnesota has been difficult for the operation of any merit system, and especially so for the installation of a new system. During the early years of the State Civil Service Department--from 1939 to 1941--when the number of job-seekers far exceeded the number of available jobs, and conditions were at their best for the selective recruiting and hiring of employees, the Department was occupied with the time-consuming tasks of setting up records, installing employees who were "blanketed-in" by the civil service law, giving qualifying examinations to those who were given this privilege, classifying all of the jobs, and establishing a salary plan. Open-competitive examinations were given, but not in sufficient numbers to cover all of the kinds of work in the state classified service.

The greatest stresses and strains to which the operation of the system have been subjected were those created by the war situation. An entirely new classification and salary study was undertaken in 1944, and resulted in the creation and adoption of a novel pay plan, automatically adjustable to increases and decreases in the cost of living as defined by the Bureau of Labor Statistics Consumers' Index. Recruiting, of course, was very difficult because of the manpower shortages. The "suspension" period, inaugurated by the 1945 Legislature because of the number of persons on military leave, lasted until 1947. During this time no appointments could be made on a permanent basis. At the cessation of this suspension period of permanent appointments, there were many employees working who then were required to take competitive examinations again in order to be appointed in the regular manner.

Also in 1947, all of the employees of the Employment Service, who had been under Federal jurisdiction during the war on temporary appointments, reverted to state jurisdiction. The mental health program, started in 1949, changed many classes of positions and added more, for which employees had to be recruited and examined.

The number of provisional employees working in the state service serves as an excellent index of the progress which has been made in the period following the end of the suspension period. A provisional employee is one who has been hired pending the establishment of an eligible list for the classification of his job. Such an employee takes the examination when it is given, on the same basis as any other applicant. He, too, must not only pass the test, but his name must be among the three highest on the eligible list to be certified. If it should not be high enough, his services must be terminated until his name is within reach of certification.

YEAR	TOTAL NO. EMPLOYEES	NO. OF PROVISIONALS	%
1947	9,391	3,181	35%
1948	9,948	2,220	22%
1949	10,523	1,576	15%
1950	11,496	651	6%
1951	11,856	573	5%
1952	12,251	191	1.6%

It has been only in the last two or three years that civil service may be considered to have been installed and in full operation in Minnesota. One function assigned to the Department, however, remains to be put into effect. That is the development and administration of a full-scale service rating system---a system for evaluating employees' efficiency. To be effective and acceptable to employees, a comprehensive system of service ratings demands first the inauguration of an educational program for supervisors in their use. The handicaps under which the Department has worked to date have precluded its undertaking this function, because of the time it would necessarily consume, the consequent addition of personnel and increase in appropriations.

One of the main sources for evaluation of any system is the reactions of the persons affected by it. Caution must be observed, however, in the value assigned to such reports. Very frequently, the complaint will dissolve itself when reviewed in the light of the rules and procedures governing the action involved.

There is one other point which should be brought out in discussing evaluation of the system. That is the difference between the present time and 1939 in the attitudes of employees - to the system and to employment in general. The supply of labor affects employees' attitudes toward their jobs. When jobs are plentiful and labor scarce, labor is much more demanding than when the reverse situation obtains. Also to be considered is the fact that the majority of state employees today have never known state employment under a spoils system. They cannot imagine, for instance, having deductions made from their pay checks for support of the political party in power, nor having election results determine whether or not they hold their jobs.

To summarize this discussion, employees and public alike could profit from a more thorough knowledge of the functions, rules and procedures of state civil service. The employees manual "Off on the Right Foot" prepared by the State Civil Service Department provides the state employees with this information. The following report is intended to serve that purpose for the League of Women Voters.

CIVIL SERVICE SYSTEMS IN MINNESOTA

There are a number of different merit systems in Minnesota. Each is a distinct unit with its own law, organizational structure and jurisdiction. Basically the principles are very much the same. They give examinations for selection of employees; some classify jobs; they provide a structure for the assignment of salaries; they allow paid vacations and sick leave; they provide a system for making promotions. But within these areas, the methods differ widely. Any individual employee case which may come up for inspection must be examined only within the framework of the particular merit system in which it falls.

The State Civil Service system, which the League was so influential in creating, is the most modern, having an administrator responsible for all of the operations of the department, with a part-time board acting in a policy-making quasi-judicial capacity, as recommended in the Model Civil Service Law prepared by the National Civil Service League. Many of the other public personnel systems in the state are administered by full-time boards or commissions with a secretary or chief examiner who is responsible to the board of commission for all administrative actions.

The jurisdictions of the various merit systems operating in Minnesota are described briefly below. To compare their organizational structures and functions is beyond the scope of this program item.

1. Federal Civil Service. This personnel system in Minnesota is administered by the United States Civil Service Commission from the regional office in St. Paul. Under Federal Civil Service are offices such as the U. S. Post Office, the U. S. Forest Service, Customs, Veterans Administration, Social Security and Internal Revenue. These departments have offices scattered throughout the state, in addition to larger district or regional offices located in the Twin Cities.

2. County Welfare Merit System. This is a subdivision of the State Division of Social Welfare, established by the Federal Social Security Law to provide a merit system for county welfare employees. In Minnesota this personnel system has jurisdiction only over the employees of the County Welfare Boards. The Federal Social Security Law provides that all employees partially paid by Social Security funds shall be selected on a merit basis. All states, therefore, have a personnel system, which has jurisdiction over all health, welfare, and employment and security employees. In Minnesota the state employees in these departments enjoy the benefits of the state-wide civil service system.

3. Municipal civil service systems and City Police and Fire Civil Service Commissions. For many years Minneapolis, St. Paul and Duluth (cities of the first class) have had civil service systems for the employees of the city governments. Civil service for police and fire departments has been authorized for cities smaller than first class since 1929.

The 1951 Legislature passed an act enabling cities of the 2nd, 3rd, and 4th class, and villages or boroughs to establish civil service systems. Under this statute establishment of a local merit system is provided by an ordinance approved by a majority of the voters voting on its approval at a general or special election. In a municipality having police and fire Civil Service Commissions, any permanent employee of a police or fire department under the jurisdiction of a commission at the time of the effective date of a merit system ordinance shall automatically become a permanent employee in the classified service under the new act. (Laws 1951, Ch. 675)

4. County civil service systems. St. Louis County and Ramsey County have merit systems covering county employees. The St. Louis County Civil Service Board has jurisdiction over the St. Louis County Welfare Board employees. In Ramsey County, those employees are under the jurisdiction of the County Welfare Merit System. (See 2 above)

5. State of Minnesota Civil Service Department. This is the public personnel agency which has jurisdiction over employees working for the state government. It is the Civil Service which the League was instrumental in effecting in this state in 1939, and the one in which it is particularly interested as a result. The bulk of the remaining material is devoted to a study of the operations of this department.

The following editorial reprinted with the permission of the St. Paul Dispatch from its issue of March 16, 1951 gives some idea of the status of Minnesota's state civil service system.

CIVIL SERVICE GROWTH

> In the extent of its coverage, Minnesota's state civil service system is one of the best in the country. A survey by the National Civil Service League shows Minnesota to be one of eighteen states where civil service covers all departments, and one of the top five in the percentage of individual employees protected by the law.

The League has been supporting the principle of civil service for 70 years. It has seen great progress made in the fight against the old-time spoils system of hiring and firing public employees. In 1935, the last time it made a complete national survey, the figures showed that 38 per cent of state workers were under civil service. Today 58 per cent have this protection in greater or less degree. The number of individuals under civil service fifteen years ago was 97,000. Today it is 374,000.

Minnesota has 96 per cent of its state employees, or 11,477 out of a total of 11,929, under civil service, the league reports. Alabama tops the nation in completeness of its coverage, with a record of 99 per cent of all employees. California is second with 97 per cent. Wisconsin also includes 97 per cent of its workers.

Nine states now have merit system requirements in their constitutions, making it more difficult for legislatures to turn back to the old political hiring methods. Three states, Arkansas, Louisiana, and New Mexico, abandoned civil service after once adopting it. In seventeen states only employees paid in part by federal funds are in merit systems. This is under a requirement of the federal government. There are thirteen states with broader coverage than this, but without protection in all departments.

Minnesota is fortunate in the progress it has made away from the spoils system.

RELATIONSHIP BETWEEN THE PERSONNEL AGENCY AND THE FINANCE AGENCY

Important to keep in mind when studying the functions of a personnel agency is its relationship to other agencies of the governmental unit, especially the department in control of funds. In Minnesota, for instance, the functions of the Budget Division of the Department of Administration and of the Civil Service Department are closely related and integrated, but do not overlap.

In order thoroughly to understand civil service in this state, it is necessary also to know some of the functions of the Budget Division and also of the state Legislature with respect to allocation of funds. Briefly, the Legislature appropriates the monies for the operation of each state department for each biennium. The Budget Division controls the expenditure of these monies within the amounts appropriated by the Legislature. (The Budget Division maintains a much more rigid control over the expenditures of the General Revenue Fund than over those of the dedicated funds.)

The Department of Administration, therefore, is the one which determines whether or not a new position would be necessary to the department's operations; whether or not a proposed departmental reorganization of positions would be in accordance with the principles of sound management; and whether, therefore, such a reorganization could be allowed; and whether or not funds be available for the reallocation of a position to a higher job classification. Such problems involve personnel management. Their resolution, however, falls within the scope of the central finance agency rather than that of the personnel agency.

THE MINNESOTA STATE CIVIL SERVICE DEPARTMENT

ORGANIZATION AND FUNCTIONS

The Minnesota Civil Service Department has a single administrative head, with a three-member board which acts in a policy-making and quasi-judicial capacity. This type of administrative organization is generally recognized by management experts

as being one of the most efficient organizational forms, and is incorporated into the Model Civil Service Law.

The Civil Service Board

The members of the Board are appointed by the Governor, with the consent of the Senate, for terms of six years. One member is appointed each biennium. The present members of the Civil Service Board are:

1. Mrs. Harington Beard, Minneapolis. Former president and former Legislative Chairman of the Minneapolis League of Women Voters.
2. Mr. Francis W. Russell, Cold Spring. Attorney.
3. Mr. George Ziesmer, Mankato. Automobile dealer.

Mrs. Beard and Mr. Russell have served on the Board since its inception in 1939. Mr. Ziesmer replaced Mr. Wilbur Elston, who is now in charge of the Minneapolis Star's Washington Bureau.

The principal powers and duties of the Civil Service Board are:

1. After public hearing, to approve, modify, reject, or approve as modified,
   a. Rules and regulations prepared and recommended by the Director for carrying out the purposes of the Civil Service Act,
   b. Plans for the classification of positions, and
   c. Compensation schedules for positions in the state civil service.

2. To make investigations concerning the enforcement and effect of the civil service act.

3. To conduct hearings and pass upon complaints, in accordance with the provisions of the act.

The Board is also responsible for appointing the Civil Service Director. It appoints an examining committee to conduct a merit examination for the purpose of establishing a list of eligible candidates. The Board then makes an appointment from the three highest names.

The Director of Civil Service

The Director is responsible for administering the provisions of the Civil Service Act. He has a staff of some sixty persons engaged in the performance of these main functions of the department:

1. To administer the civil service law in accordance with its provisions and under the policies of the Civil Service Board;
2. To give open-competitive and promotional examinations in order to find the best qualified persons available to do state work; to test them; grade their papers, set up eligible lists; and make certain that appointments are made according to the civil service law and rules;
3. To check the pay of each state employee to be sure he is getting the right amount;
4. To determine whether proposed personnel actions are within the scope of the law and rules;
5. To maintain an official roster of state employees;
6. To make sure that all personnel transactions such as salary increases, promotions, transfers, and the like, are proper and legal;
7. To classify jobs based on their duties and responsibilities in accordance with state classification plan;

8. To re-allocate jobs when duties and responsibilities have changed enough to make it necessary;
9. To recommend to the Civil Service Board the assignment of each class of work to a specific pay range and to recommend changes in these assignments when necessary;
10. In general, to be the state's central personnel agency.

The Department is divided into three main sections to administer the functions delegated to the Director under the act. These Divisions of the Civil Service Department are:

1. The Recruiting and Examining Division. This Division recruits state employees; prepares, gives and grades examinations; and sees to it that appointments are properly made from eligible lists.
2. The Classification and Compensation Division. This Division classifies all the state jobs in accordance with the state classification plan and determines pay rates for state jobs in accordance with the state pay plan.
3. The Transactions and Office Management Division. This Division is responsible for the accuracy and legality of all personnel transactions such as salary increases, resignations, layoffs, demotions, and so on; for making sure that all state payrolls are correct; for the proper explanations of the law and rules to the operating departments; and for doing "housekeeping" work for the Civil Service Department itself, such as budgeting, purchasing, filing, duplicating and typing.

JURISDICTION OF THE STATE CIVIL SERVICE DEPARTMENT

As mentioned previously, Minnesota is in fifth place in the percentage of state employees covered by civil service out of the eighteen states in which civil service encompasses all departments. These positions which are covered by the civil service law comprise what is called the classified service.

The Civil Service Act specifically excludes some state employees from the provisions of the law. These positions are in the unclassified service. Briefly, these include: Elective officials, department heads appointed by the Governor, one private secretary to each of the elective officers, deputy registrars of motor vehicles and their seasonal help, employees in the Governor's office, employees of the Legislature, the academic staffs of the state teachers' colleges, professional staff of the Attorney General's office, court employees, patient and inmate help in state institutions, and state highway patrolmen. (State Highway Patrolmen are selected and appointed according to civil service procedures, but none of the other provisions of the civil service law affect them.)

SPECIFIC FUNCTIONS OF THE CIVIL SERVICE DEPARTMENT

EXAMINING

The primary and traditionally most important function of a merit system is to examine applicants for employment, so that the best qualified are placed in the available jobs. The law provides that the Civil Service Director prepare examinations, eligible lists, and ratings of candidates for appointment. The law further states that, insofar as practicable, vacancies shall be filled by promotion from among persons holding positions in the classified service, and subject to such exceptions as the Board may provide, from the lower class or group within the particular classification. "Promotions shall be based upon merit and fitness, to be ascertained by competitive examinations in which the employee's efficiency, character, conduct, and seniority shall all constitute a factor." In 1947, the law was amended to make it possible for a department head to promote an employee as a result of a non-competitive examination rather than a competitive one, if the higher position

requires "peculiar and exceptional qualifications of an administrative, scientific, professional or expert character."

Examination Procedure

The examination procedure starts with the announcement of the Civil Service Department that it is going to give an examination for a particular class or series of classes of positions. An example of a series of classes is Clerk I, Clerk II, Clerk III. The examination announcement states the titles of the positions for which the examinations are to be given, the duties and responsibilities of the jobs, the qualifications which are either necessary or desirable, the abilities and knowledge required, and of what the examination will consist. A test may include a written test, performance test, experience rating, personal interview, or a combination of measures for predicting job success.

The announcements of examinations are given wide distribution, so that as many persons as possible will be informed that the test is to be given. They are regularly sent to all of the post offices in the state, the County auditor's offices, the Welfare Boards, the newspapers, and to other selected recruiting sources, depending on the kind of work for which the examination is to be held.

Applications for examinations may be secured by any interested person directly from the Civil Service Department or from any of the local offices of the Minnesota State Employment Service. The applicant then fills in the application blank, has it notarized, because an oath of office is included on the form, and sends it in to the Civil Service Department. Unless the particular examination announcement calls for minimum qualifications of education and experience, the application is accepted if the person is a citizen of the United States and has been a resident of Minnesota for two years. (In some classes in which the turnover has been high, and in which it is difficult to recruit qualified applicants, the residence requirement has been waived.)

If a written test is to be given, the applications are sorted by location of residence. High school buildings and personnel in 31 cities in the state are used for state civil service examinations. All or some of the 31 places may be used for the administration of a test, depending on the number and location of the applicants. Not only distance of the applicant to an examination center is taken into account in scheduling, but also bus and train schedules, and the convenience of the highways from the applicant's home to the city in which the examination is to be held.

At the appointed time for the test to begin, the monitor passes out test booklets, identification sheets, and answer sheets to the candidates. The identification sheet has all the information needed to assemble the candidate's papers - the identification number, name, birthdate, signature. This sheet is used also to obtain the conditions under which the candidate is willing to accept a position - salary, place of employment, length of employment, etc. The answer sheet is a specially prepared sheet for use in an International Business Machine electric scoring machine. It is identified only by the candidate's identification number.

At the time of the written test, claim forms are distributed to veterans for the purpose of claiming their preference. A veteran must make claim for his preference each time he takes an examination, although he is required to submit proof of his eligibility for preference only the first time he makes his claim.

After the written test is completed, the test monitors send all of the materials back to the Civil Service Department. There the answers are scored on the electric test-scoring machine. If an evaluation of experience and education is to be a component of the examination, as it is in all examinations except for some beginning level jobs this is done from the information on the application forms. Finally, all

of the papers for each candidate are assembled. If there is to be an interview as part of the examination, the persons who have passing grades including the veterans whose preference raises their scores to passing, are scheduled for the interview. When all of the parts of the examination have been completed, the scores are all posted on a scoring sheet, and multiplied by the weights assigned to each part of the test. The total earned rating is the sum of these weighted scores, excluding veterans' preference. Veterans' preference is added afterward. An example is given below:

	WEIGHT	SCORE	WEIGHTED SCORE
Written Test	40%	75.00	30.00
Experience & Training	30%	80.00	24.00
Interview	30%	90.00	27.00
Total Earned Rating			81.00
Veterans' Preference			5.00
Final Score (which determines place on list)			86.00

Promotional examinations are conducted in the same manner as are the open-competitive examinations. There are, however, several distinct differences. In the first place, eligibility to take a promotional examination is restricted to employees who have permanent or probationary civil service status. Sometimes a promotional examination is held for just one department. In such cases, the employee, to be eligible to take the examination, must be an employee of that department. This applies particularly to positions which occur only in one department, and in which experience in that department is necessary training for a higher position.

The other differences between promotional and open-competitive examinations are prescribed by the law in the statement that promotional examinations must take into account "the employee's efficiency, character, conduct, and seniority". A rating form to measure the employee's qualifications for promotion to the specific class of position for which the examination is being given is completed by the department in which the employee works. Seniority of each candidate is also rated, so that those who have worked the longest get the highest rating, and those who have worked the shortest period of time get the lowest score. In no case can a seniority rating be lower than 70, since that is the lowest passing mark.

Eligible Lists

1. Open competitive and promotional lists. Eligible lists are established in the same manner for both open-competitive and promotional examinations. On all of the test papers of passing candidates their final scores are posted and include veterans' preference. To set up a list, therefore, the papers of all the 10-point veterans are sorted out. These are then arranged according to the magnitude of the scores, placing the highest first. Then the papers of all the remaining candidates are arranged according to score and follow those of the 10-point veterans. An eligible list, therefore, might look like this:

RANK	NAME	EARNED RATING	V.P.	FINAL RATING
1	John Doe	80.00	10	90.00
2	Joe Blow	69.00	10	79.00
3	Wm. Smith	60.05	10	70.05
4	John Jones	98.00	-	98.00
5	Mary Johnson	90.00	5	95.00
6	Ole Peterson	95.00	-	95.00

It is not uncommon for a list to have a great number of 10-point veterans at the top, so that many positions have to be filled before the name of the first non-veteran or 5-point veteran is reached. It is not uncommon either, for a list to have 10-point veterans at the top, none of whose earned ratings are as high as those of the non-veterans following them, as is shown in the sample list above.

In the 1952 Annual Report of the Civil Service Department it is reported that 59% of both non-veterans and veterans attained passing grades in examinations. Although 29% of the veterans who took examinations did not pass, even with the preference, 12% of them were able to pass by reason of their preference. As a result 71% of the total number of veterans who took examinations passed, compared with 59% of the non-veterans.

A factor which greatly increases the number of 10-point veterans is that a veteran is entitled to 10 points if he has even a 0% disability rating from the Veterans' Administration. During the first few years of the Civil Service Department's operation, a veteran was awarded 10 points preference only if he had a 10% disability rating. The Veterans' Administration itself does not consider a lower disability rating as signifying a disability. No compensation can be paid for a disability rating which is lower than 10%. The state Attorney General, however, when the question was brought before him in 1942, ruled that any veteran with 0% disability was entitled to the maximum veterans' preference in Civil Service. What this actually means is that persons who were in the armed forces, who had medical attention during their service, such as a tonsillectomy, can get the 10 points preference and have his name placed at the head of a civil service eligible list.

2. Layoff List. If there is a curtailment of funds which eliminates one or more positions, the person who has the least seniority in that classification within the department concerned will be laid off. In this case, his name is placed on the layoff list. If another layoff is necessary, the person with the next least seniority is laid off, etc. Whenever there is a vacancy in the same class in the same department, the one person on the layoff list who has the greatest seniority is certified to fill the vacancy. The department head must appoint this person, if he is available for employment.

3. Reemployment List. If an employee with civil service status resigns from the state service, he may request, within one year of his resignation, that his name be placed on the reemployment list. When the Civil Service Department receives the request, it asks the department in which the employee has worked for a rating, such as excellent, good, satisfactory, or unsatisfactory. If the rating is "unsatisfactory", the name cannot be placed on the list. Otherwise, names are placed on this reemployment list in order of the excellence of the ratings. The name of each person who is laid off is placed on the reemployment list as well as on the layoff list. This enables those persons to be considered for employment by departments other than those from which they were laid off.

CERTIFICATION FROM ELIGIBLE LISTS

Each of the various eligible lists is established for a single class of positions. For instance, there can be a layoff list, several departmental promotional lists, a statewide promotional list, an open-competitive list and a reemployment list for the class Clerk III.

When a requisition for a certification to fill a vacancy is received by the Civil Service Department, it goes through the following procedures. First, the job to be filled must be classified. Next, it has to be approved by the Budget Division of the Department of Administration to be sure that the department has sufficient funds to pay for the position. Then when these factors are determined, the Civil Service Department can certify names from an eligible list for the proper job classification.

As mentioned above, the layoff list must be considered first. If the department requesting the filling of the vacancy has no one on a layoff list, another list must be used. If there is a departmental promotional list for that department and that class, it must be used next. The department may, however, request certification from a list other than its promotional list, if it can submit evidence that to do so would be in the best interests of the state service. If there is no departmental promotional list, or if the Civil Service Department approves the use of another eligible list, three names may be certified from the statewide promotional list, or the reemployment list.

If there are names of three available eligibles on a list, the department must appoint one of the three. If one of the persons indicates that he is no longer interested, another name is sent to the department, so that the selection may be made from among three persons.

Only if there are fewer than three eligibles on a list for the position to be filled, may the department be authorized to fill the vacancy on a so-called "provisional" basis. This is the case in which a person is hired to fill a job without having first taken a Civil Service test and have had his name placed on an eligible list. Persons who are hired on this basis cannot work for more than six months in any year. Before they can be considered for regular employment, they must take the test for the class in which they are working, pass the test, and their names be among the highest three on the resulting eligible list so that their names may be certified in the regular manner, as described above.

PROBATIONARY PERIOD

The first six months of employment following appointment from an eligible list is called the "probationary period." This is really the final step in the selection and examining process. It is an on-the-job test. During the probationary period, the employee can be dismissed or demoted without the right of appeal. If the performance of the probationary employee is satisfactory, the department head notifies the civil service department in writing to that effect, and the employee attains permanent civil service status.

CONSTRUCTION OF CIVIL SERVICE EXAMINATIONS

The first step in preparing an examination is to learn the functions and duties of the position for which the test is to be given. To do this the specifications for the class are reviewed and, if necessary, additional information is obtained from interviews with employees in the job, their supervisors, and department heads. A class specification includes, as well as descriptions of the duties and responsibilities, the abilities required to perform them. (See next section on Classification.)

The next step is to decide what measures will best select persons with these abilities. Most positions require a body of knowledge in a specific subject-matter field. Some positions, however, require an aptitude for a skill rather than already-acquired knowledge, and the tests differ accordingly. These two types may be illustrated by a clerical aptitude test, for example, and a test for Statistician, which would include questions specifically to test knowledge of that subject. Paper-and-pencil tests are used extensively to measure both aptitudes and achievements.

Manual abilities, such as typing and shorthand, and other skills which are relatively easy to measure, are tested by means of "demonstration of ability" or "performance" tests. For positions in which personal appearance, manner, attitudes, and general effect of the person on other persons are important, a personal interview is usually incorporated in the examination process. Education and experience background is a factor in selection for most positions except those at the beginning levels. For this reason, an evaluation of training and experience is usually applied. It can be

seen that an examination logically may include any one or combination of these measures of predicted success.

When a written test is called for, it is prepared initially by the technicians employed by the Civil Service Department. The material for examination questions is obtained from several places. Some of these are (1) recognized experts in the particular occupational field, (2) a file of examination questions in the Civil Service Department, (3) the testing service offered by the Civil Service Assembly of the United States and Canada, (4) questions used in other civil service agencies for similar jobs. It is a policy of the Civil Service Department always to request the assistance of recognized experts, in the occupational field being tested, to review newly prepared examinations.

Written tests for promotions are very much like written tests for entrance into the state service. One chief difference between the two is that employees taking promotional examinations are expected to know something about higher level jobs and something about state governmental operations. It is generally true that written tests for promotional examinations have more questions about the work itself than appear in the entrance written examinations.

Interviews are conducted by well-qualified persons in the particular occupational field involved. Members of interviewing boards are selected because of their abilities and high standings in the particular occupation. They give their time to the state as a public service, receiving no pay. Occasionally, oral tests are given. In this case, the examiners also are experts in the occupational field involved, but ask the applicants specific questions about the occupation to determine the extent of knowledge the applicant possesses, as well as to measure the personal qualities of the applicant.

A good deal of research is done on civil service examinations. In most written tests, each item or examination question is reviewed statistically after the test to see if it discriminates between the persons who attained the highest scores on the test and those whose scores were lowest, and to measure the level of difficulty of the test item. These analyses are used in subsequent examinations when appropriate questions are being selected.

JOB CLASSIFICATION

Classification of positions is fundamental to the administration of a merit system. The principle of "equal pay for equal work" is dependent upon a method for determining the equality of jobs. A system of grouping positions which require like qualifications is of tremendous value in administering a program of examinations for the selection of job applicants. This fact has been indicated in the previous section dealing with examinations.

A portion of the Civil Service Act is quoted below to indicate the importance of a job classification plan to the operation of the merit system and the extensiveness of its use. "The director of the state civil service shall, as soon as practicable, and after consultation with appointing authorities and principal supervisory officials, classify all offices, employments, and positions held by persons who may become members of the classified service under this chapter.... Titles shall be established for each class of employment for use in examining and certifying names of persons for appointment under this chapter, and a description of the duties and responsibilities exercised by the persons appointed to each of them shall be drawn up, minimum qualifications required for satisfactory performance of the duties of each grade and class formulated, and, so far as practicable, the lines of promotion from grade to grade or class to class shall be indicated. The titles in this classification, as defined by the specifications of duties and qualifications, shall be used for (1) original appointments; (2) promotions; (3) payrolls; and (4) all other re-

cords affecting the status of personnel. The classifications, when approved by the civil service board after public hearing, shall take effect immediately, be sent to the commissioner (of Administration), and used by him in the preparation of the next following and subsequent state budgets."

The first task of the Civil Service Department was to secure, in questionnaire form, a job description from each employee. The procedure for completing a classification questionnaire is to have the employee write a detailed description of his duties, breaking them down into percentage of time spent in the performance of each. His immediate supervisor then indicates on the form the extent of his supervisory responsibilities with respect to that employee and any points of disagreement about the duties performed. Next comes a review of this information by the next higher supervisor and the department head, with their judgments as to the qualifications required for successful performance in the position. Then the completed questionnaire is returned to the Civil Service Department. During the development of the original classification plan all of the approximately 10,000 questionnaires had to be considered simultaneously. Each was read and re-read, grouped with others which expressed the same or similar duties and responsibilities. Many were sorted out because of a need for additional information. These positions were reviewed personally by a member of the Civil Service Department staff or by one of the staff of Public Administration Service, the firm contracted by the state for developing the classification and pay plans. Following this step, each of the questionnaires was reviewed again, some of them many times, to determine in which class it should fall. Factors upon which the allocation of a position depend are those such as the kind, difficulty and responsibility of duties performed, the qualifications required, and applicability of recruitment methods for filling the positions within the class. A class may be defined as a position or group of positions which have duties and responsibil ities sufficiently similar to warrant recruitment of applicants from the same source, application of the same tests of fitness for selection of qualified applicants, and application of the same rate of pay.

Following the determination of the classes represented in the state service, specifications were written for each. The class specification includes the class title, a description of the duties and responsibilities of the work and a statement of the qualifications a person should possess to enable him to perform the duties of a position in the class with reasonable prospects of success. The specifications have the following force and effect: The definitions are descriptive and not restrictive. They are intended to indicate the kinds of positions that are allocated to the class, as determined by their duties and responsibilities, and shall not be contrued as declaring to any extent, or in any way, what the duties or responsibilities of any position shall be, or as limiting or in any way modifying the power of any appointing authority to assign, direct and control the work of employees under his supervision. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned that are of similar kind or quality. This is an especially important qualification of the class specifications, because so often employees tend to regard the specification as specifically limiting their jobs. In determining the class to which any position should be allocated, the definition of each class shall be considered as a whole. Consideration shall be given to the general duties, specific tasks, responsibilities, qualification requirements and relationship to other classes, as together affording a picture of the kind of employment that the class is intended to embrace.

The original schedule of classes which was adopted by the Civil Service Board on April 10, 1940, together with subsequent amendments and revisions, constitute the "classification plan" for all positions in the classified service.

It will be noticed throughout any discussion of a position classification plan the implication of change, in phrases such as "establish and maintain", "amendments and revisions". A classification plan is a dynamic, rather than a static, system. As

administrative organization changes, so is assignment of duties subject to modification, and hence, the classification of positions. As new functions are undertaken by the government, new jobs are added, which are frequently reflected in the classifiction plan by the addition of new classes. When a function is discontinued, or a set of duties once comprising a position, assigned to positions in different classes, the action is reflected by the abolition of classes. The activity of the Civil Service Department during the year July 1, 1951 to July 1, 1952 illustrates this point. Quoting from the current Annual Report, "The creation of new and the elimination of old functions, and the resultant changes in departmental operations and staffing patterns, resulted in the establishment of 20 new classes, abolition of 24, title changes for 19, reassignment of 6 to higher salary ranges and revisions in the specifications for 119 classes. With respect to the latter figure, many of these specifications were written in 1940 and no longer accurately reflected the current duties and responsibilities of the positions."

After the final allocation of a position is made, the position remains in that class until the duties and responsibilities have changed enough to warrant its reallocation to a different class. Positions are constantly being reviewed for the accuracy of their allocation in the classification plan. Review of positions is activated in several different ways. One is by the almost automatic method of having every probationary employee complete a classification questionnaire before the completion of his probationary period. If there is any indication from the questionnaire that the position does not belong in the class to which it has been allocated, additional information is obtained from the employee concerned and from his supervisors. If a change in class is indicated, the employee and the department in which he works are notified to that effect.

Reviews of positions may also be instigated by the Civil Service Department, the written request of a permanent employee, or of a department head, whenever, because of changes in the organizational structure of a department, in the duties of a position, or for other reason, a position seems to be allocated improperly. In making a request for the review of a position, the employee or the department head must specify the changes that have occured in the position since it was last reviewed which in his opinion justify its reallocation. Upon such initiative, the Civil Service Department investigates the duties of the affected position. If the director makes a reallocation or denies an application for reallocation, he notifies the department and the employee affected by the action.

Extremely important for the affected employee and his department to understand in reallocations of positions to different classes is that a reallocated position is considered the same as a vacant one. If an employee's position be reallocated to a higher class, that employee would not automatically gain permanent status in the higher class. Instead, the reallocated position continues only if the department head fills it in accordance with the provisions governing appointment, promotion, demotion or transfer withing 60 calendar days following the date of the notice of reallocation of the position. The employee whose position is reallocated continues his status in the former class, but is ineligible to continue in the position in the new class unless he is appointed to that position in accordance with the rules governing the above-mentioned actions. A permanent or probationary employee whose position is reallocated to a higher class for which a promotional list exists, may take the promotional examination, if he has not already done so. In any case in which the incumbent of a position which is reallocated is ineligible to continue in the position in the new class, and is not transferred, promoted, or demoted, the layoff provisions apply. (See section entitled Layoff List.)

The reasons for this restriction on reallocations is evident. If employees whose positions are reallocated to higher classes should automatically gain permanent status in the higher class, the competititve promotional system would be considerably modified. On the other hand, if an employee's status should attach to whatever

class his position happens to be allocated, if the job should be reallocated to a lower class, he would automatically be demoted and lose status in the higher class. Such practices would be unjust and subject to manipulation.

The Civil Service Department reviewed 220 individual positions during the 1951-52 fiscal year. A total of 32 of these were reallocated to higher classes, 35 to lower classes, and 6 to other classes in the same salary range. There was no change of allocation in 124. The study of 23 positions was in the process of completion at the close of the year. These figures do not include the review, by questionnaire only, of the positions held by probationary employees during the year.

THE PAY PLAN

"In no phase of personnel administration is the conflict between employer and employee more apparent than in that of compensation. This generalization applies with equal force to private and to public employment."[1] A comprehensive and well-conceived pay plan provides the tool to minimize this conflict. The passage of the Civil Service Act with the consequent standardization of salaries based on the classification of positions placed the State of Minnesota among the relatively few governmental jurisdictions to have a comprehensive system for the payment of salaries.

The advantages of a standardized pay plan are more forcefully pointed out by a discussion of the results of not having one rather than by a discussion of the merits of such a plan. This is the approach used by Mosher and Kingsley[1] in their treatment of the question. Among the consequences of the failure to deal broadly and constructively with the problem of pay are the following: (1) paying individuals doing the same work in a single organization, a wide range of salaries, which vary in some cases by as much as several thousand dollars; (2) having different scales of pay for different organization units within the same jurisdiction; (3) paying individuals engaged in various types of work the same wage or differentials which in no way reflect the greater or lesser degree of difficulty or responsibility of the positions concerned; (4) maintaining, in some instances, the same salary scales for decades, in spite of changes in the price level and the going rates in the surrounding market.[2] None of these is compatible with the principle of "equal pay for equal work".

The first step in the development of a pay plan is to determine the broad lines of policy respecting wage levels and the factors to be considered in arriving at them, including such considerations, on the economic side, that the government should pay rates that are roughly comparable with those paid by the best private employers and, on the social side, that even the lowest rates should afford the workers the means for maintaining a minimum standard of living. Next comes the development of the pay plan itself, which is composed of two parts: (1) the pay scales established for each class of positions, and (2) the formal rules for wage administration. These two parts will be considered here with respect to Minnesota's plan for its state classified employees.

As it generally true elsewhere, the pay plan is an administrative function performed by the central personnel agency, in this case, the state Civil Service Department, in cooperation with the financial authority, here the Department of Administration. While the pay plan is developed by an administrative agency, the final adoption is a legislative prerogative, as it is in almost all other jurisdictions.

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1. Mosher and Kingsley. Public Personnel Administration, Harper & Brothers, 1936, p. 441.
2. Ibid., p. 443.

The primary job in setting up a pay plan is to collect wage data from private employers and from other public jurisdictions. With such data the government can maintain an equilibrium between its wages and those of private industry. This has been done here using the questionnaire method, in which precise job descriptions are given of "key" positions for which information is asked concerning comparable positions. The information necessary to obtain includes the number of positions; basic wage for each such position; working hours; overtime regulations; provisions concerning annual leave, sick leave, and retirement; special bonuses or incentive systems, and similar data. This information is essential to make possible equitable comparisons. For instance, the same salary reported by two firms for the same kind of job is not actually the same if the length of the work week is different for the two. Key positions are selected to serve as points of reference to which other positions can be related in constructing the pay scales, because it is impossible to obtain data from other employers for all positions represented in the governmental organization. There are quite a few jobs in government service which have no counterparts in private industry. Data collected from other public jurisdictions, of course, help to fill in these gaps.

Given the data on comparable positions then, the job is to assign rates of pay to the classes of positions represented. Some of the main considerations upon which the determination of specific rates depends are the relationships among various classes of positions in terms of duties and responsibilities, the ease or difficulty of recruiting personnel, the probable effect of the prescribed rates upon labor turnover, and the probable promotion rate. Most important of these, and first to be considered, is the maintenance of "internal consistency" - the relationships among the classes in terms of duties and responsibilities. Finally, then, a schedule is worked out, with the lowest rates being paid to persons in classes having the least responsibility and the highest to those demanding the highest level of skills and responsibilities. The others fall in between, due consideration having been given to the other factors, such as recruiting possibilities, turnover, etc. Two exhaustive salary studies have been undertaken in Minnesota Civil Service. The first was in 1940, when the first standard salary plan was adopted; the second in 1944, which resulted in the development of an entirely new plan, incorporating a provision for automatic cost-of-living adjustments. To prevent the plan's becoming out-of-date, surveys are continually being made of selected groups of classes. For instance in the 1950-51 fiscal year the Civil Service Department conducted 16 major salary surveys. These surveys ranged from studies made in private industry of the Twin City area to nation-wide comparisons. It involved classes such as, power engineers, medical technologists, game wardens, key punch operators and electroencephalograph operators. Public Administration Service of Chicago conducted a salary survey for the non-academic employees of the University of Minnesota. Two members of the state Civil Service Department participated in this survey. The results of this study were made available to legislative committees for their use in considering amendments to the state pay plan during the 1951 session of the Legislature. A number of salary studies were conducted during the past fiscal year also. One of these was for the guards in the penal institutions. It was found that, while the salaries in some states are higher than those paid in this state, the work week was either 44 or 48 hours. When these salary rates were compared on the basis of a 40-hour week, which is standard in Minnesota, the Minnesota salaries were higher than all the states surveyed with the exception of Michigan.

The Minnesota salary plan provides a range of compensation for each class of positions. Each range is divided into five equal steps, for purposes of merit increases. There are 38 salary ranges in the plan. The lowest is $170 to $195 per month; the highest $799 to $879. Range 1 provides a $25 spread from minimum salary to maximum; Range 38, an $80 spread. With each divided into five equal steps, Range 1 steps are $5 a piece, Range 38 steps, $16 each.

As mentioned earlier, the plan provides for cost-of-living adjustments. With rises of the Bureau of Labor Statistics Consumers' Price Index a specified number of points, steps are added to each salary range uniformly throughout the salary plan. For instance, last July 1 a one-step increase was automatically granted all classified employees, because of a sufficient increase in the cost-of-living index. This means that classes assigned to Range 1 were increased five dollars a month, and to Range 38, $16 a month. These increases are included in the figures quoted above. An issue which is frequently raised when salary increases are being considered is the fact that classes in the lower ranges receive a lesser dollar increase than those in the higher ranges. The employees union, for example, has sometimes recommended flat raises of $25 for all employees. The objection to this technique is that it tends to destroy the internal consistency of the pay plan. In time, several such increases would compress the pay plan into a much narrower range, making it impossible to differentiate the classes on the basis of duties and responsibilities. In addition, top salaries paid in government employment have always been renowned for being much lower than can be paid for the same kind of work in private industry. Flat increases only emphasize this discrepancy. A more equitable method is to give graded increases, less for the lower classes and more for the higher ones. This system makes it possible to grant more uniform percentage increases, and does not affect the internal consistency of the plan to as great an extent.

Minnesota is the only state using this flexible device for cost-of-living adjustment of salaries based on the size of the salary range. Since the 1951 legislative session, it is also the only state to pay its department heads in a similar way. Gearing the department heads' salaries to the cost-of-living index serves two purposes: (1) provide a more constant relationship between department heads and classified employees' salaries so they increase and decrease together, and (2) eliminate previous criticisms that department heads' salaries were frozen while classified employees' salaries fluctuated with the Index.

The rules under which the pay plan is administered are adequately explained in the employees' manual, "Off on the Right Foot".

RECOMMENDATIONS OF THE EFFICIENCY IN GOVERNMENT("LITTLE HOOVER") COMMISSION

1. "The so-called 'back-door' to Civil Service should be opened considerably. Department heads should be authorized to discharge civil service employees for cause, after notice and hearing by the appointing authority, except that there should be right of appeal to the Civil Service Board when the employee claims that the dismissal is based on political, racial or religious motives. Discharges by administrative action and decisions with respect thereto by the Civil Service Board should not be subject to review by the courts."

Under the present law, an employee can be dismissed for cause, but has the right of appeal to the Civil Service Board under any circumstances. If the Civil Service Board upholds the action of the department, the employee may take the case to court. The method recommended by the "Little Hoover Commission" is essentially the same as that contained in the Model Civil Service Law.

Bills have been introduced in two or three legislative sessions to enact this amendment of the Civil Service Act, but have never succeeded in passing. Employees seem to feel that the change would impair their security in their jobs, and that wholesale dismissals would result. Figures have been compiled by the Civil Service Department on the number of dismissals during probation, during which the employee has no tenure for comparison with the number of dismissals of permanent employees. Under the present law there are not many more dismissals of probationary employees than of permanent employees. This would seem to indicate that to change the law and open the "back-door" would not result in a wave of dismissals. It is felt that the amendment would be beneficial from a psychological standpoint in stimulating employees to increase their efficiency.

JEP

FILE COPY

Nov. 2, 1951

Mrs. J. A. Zillgitt,
1003 W. Bridge,
Austin, Minn.

Dear Mrs. Zillgitt,

We have just heard through a League member, Mrs. John Grmner of Minneapolis, of a letter received by Mrs. Mudgett of the University from Mr. Russell Harding, of Albert Lea, concerning some bad conditions of migratory workess and their families in Hollandale. He spoke specially of the dirty, unheated chicken houses which were used for shelter. We were surprised at this information since we had just received a publication of the U. S. Department of Labor, dated August 1951 which included an article "Migrant Workers Find Better World in Minnesota -- Hollandale Citizens Join to Aid Children and Parents".

I am enclosing this publication for your examination (now, rather than later this month with the rest of the Civil Rights Study material) and we would be very interested in your comments on it. I also told Mr. Harding how to get in touch with you in the Austin League and suggested to him that perhaps your Civil Rights Chairman would like to go over with him to Hollandale to see for herself what conditions really are. The contracts with migrant workers usually run out Nov 1st, but they sometimes remain a short time longer, so the trip should be made promptly if it is to do any good. You can reach Mr. Harding, who is a teacher, at 533 Park Ave., Albert Lea, Minnesota. We in the state office would be very interested in a report of your findings.

Hurriedly,

Mrs. Harold L. Wilson
Organization Secretary

Re. M. & Mrs. Harding
Mrs. Mudgett has told me of the

FILE COPY

Nov. 2, 1951

Mr. Russell Harding
533 Park Ave.
Albert Lea, Minn.

Dear Mr. Harding,

I have just heard, through a League member, Mrs. John Gruner of Minneapolis, of a letter received by Mrs. Mudgett from you concerning the bad conditions of migratory workers and their families in Hollandale. This was called to our attention because Mrs. Gruner knows of the Leagues interest in Civil Rights, and that our study this year includes the Migratory worker's problems.

I was surprised at this information since I had just received a publication of the U.S.Department of Labor, dated August 1951 which included an article "Migrant Workers Find Better World in Minnesota Town -- Hollandale Citizens Join to Aid Children and Parents".

I am enclosing the publication for your examination. We in the League would be very interested in your comments on it. I am sending a letter to the president of the Austin League of Women Voters, Mrs. J. A. Zillgitt, 1003 W. Bridge, Austin, and suggesting she pass it on to her Civil Rights Chairman so that they may know of your concern. Perhaps you could get in touch with the League in Austin, and some of their members might be able to go over with you to Hollandale to inspect conditions and report their findings to the State League.

We are glad of your concern in this matter.

Sincerely,

Mrs. Harold L. Wilson
Organization Secretary

533 Park Avenue
Albert Lea, Minn.
November 4, 1951

FILE COPY

Mrs. Harold L. Wilson
League of Women Voters of Minn.
84 South Tenth Street, Room 417
Minneapolis, Minnesota

Dear Mrs. Wilson;

I appreciate your letter and your interest in the Migrant Workers Problem. I enjoyed reading the report in the Labor Information Bulletin of August 1951 about the Hollandale area.

The article highly overrates the progress made in this community. The people in charge of the situation gives a very optimistic picture and would led one to believe that everything is going fine. It is difficult for any outsider to see what is going on unless he is a skilled observer and has some authority. Many people in this area do not have any understanding of the situation at all. The Wage and Labor people have been in here checking and the farmers now know that they do not dare to hire children during school hours. That does not mean that they are in school, however. Families have been discouraged from coming up having school age children. Mexican Nationals have been hired instead.

In regard to the housing of the Mexican Nationals which I refered to, one federal representative investigating my complaint said, " I looked into the camp you mentioned yesterday and I agree with you that the conditions existing there are as bad as I have seen anyplace."

My wife teaches in one of the schools in this area and I have made many contacts in regard to the situation there. Since we are both teaching we must be careful in how we go about trying to help this situation. However, I would be very happy to meet with you or your Civil Rights Committee and give them any information that I have.

I also have been speaking to groups on Mexico since I spent six weeks down there and have many pictures and movies with arts and crafts to illustrate the kind of work they do. We try to build better understandings of the Mexican people thru our talks.

This area greatly needs community action to solve these problems. I am sure that they could be solved to the best interested of all if a program of work could be started. Perhaps your Austin group might be the ones to spark this program. I shall be happy to talk to them about the situation.

Sincerely yours,

Russell Harding

Russell Harding

League of Women Voters of Austin

Austin, Minnesota

November 12, 1951

FILE COPY

Mrs. Harold L. Wilson, Organization Secretary
League of Women Voters of Minnesota
84 South Tenth Street, Room 417
Minneapolis, Minnesota

Dear Mrs. Wilson:

Mrs. Zillgitt has referred your letter of November 2 to me for answer.

Last Friday, we drove through the Hollendale territory and then went to Albert Lea to talk with Mr. Harding.

We saw the chicken houses Mr. Harding spoke of in his letter. However, since the migratory workers left November 1, there is no one living in these places now, so it would be difficult to judge just how bad they are. The first group, which we saw in Maple Island, consisted of six chicken houses. They seemed to be wired for electricity, have chimneys, and there were two outhouses for the group. These houses looked as though they had been cleaned up since the migrants had left, although there was still garbage piled out in the open at the rear of the houses. This group proved to be in excellent condition compared to another group we saw beyond Hollendale by the country school. Here we found a unit of similar chicken houses which looked extremely dirty. Some of the doors were open and we could see a cot and a table in them. There could hardly be room for more. However, we do not know whether these were used to house Nationals or Migrants and their families. Mr. Harding was not able to give us specific information when we saw him later.

In my opinion, the conditions there are a matter of degree. According to Mr. Harding, who would seem to be something of a crusader for these people, conditions are very bad. On the other hand, if these dwellings are used as bachelor quarters, they would be adequate. How much the farmer is responsible for the filth by not providing adequate facilities, we could not judge. However, I tend to sympathize with whomever has to clean up after these workers leave.

Yours very truly,

Betty Cohen

Betty L. Cohen
Austin Civil Rights Chairman

1951 ?

LEAGUE OF WOMEN VOTERS OF MINNESOTA
84 SOUTH TENTH STREET, ROOM 417
MINNEAPOLIS 2, MINNESOTA
Atlantic 0941

The League of Women Voters Of Minnesota is in favor of the FEPC bill as proposed.

The present bill has been carefully prepared by the Law students at the University of Minnesota and checked thoroughly by the Minnesota Council for FEPC, which drew on the experience of other states with such a law, and finally was rechecked and revised on the advice of the authors of the bill; Mr. Peterson, Mr. Langley, Mr. Chilgren, Mr. Oberg and Mr. Dirlam. Therefore it seems to us that the bill comes highly recommended.

The need for such a bill in Minnesota is evident, we believe, for several reasons.

From the point of view of the thousands of members of racial and religious minority groups in Minnesota, it is important to have legislation which will protect their right of employment, especially since every one of these citizens is also required to pay taxes and bear arms for his country.
Therefore, this legislation will benefit the minority groups.

From the point of view of employers, it is important that all sources of qualified labor be available, especially with the greatly increased production which will be required of them in the national emergency.
Therefore, this legislation will benefit the employers.

From the point of view of United States leadership in the world today, it is most important that we practice what we preach to other countries, else the denunciations of the Communists that we don't allow our minorities the privileges of democracy, will have a strong ring of truth.
Therefore, this legislation will benefit our country.

The experience with FEPC in the ten states that have such laws has been good.

For example, in the hundreds of cases that have been heard in these states, only three have gone to the stage of a public hearing, and only one has gone beyond that to the district court.

In Minneapolis, in its 3½ years under FEPC, no public hearings have been held and no court enforcement has been necessary. And yet in this period there have been 139 complaints of discrimination which have been settled by the commission.

30% decided in favor of employer (no discrimination)
41% favorably settled
6% dismissed (not covered by law)
15% not determined whether discrimination exists
8% still in process of adjustment

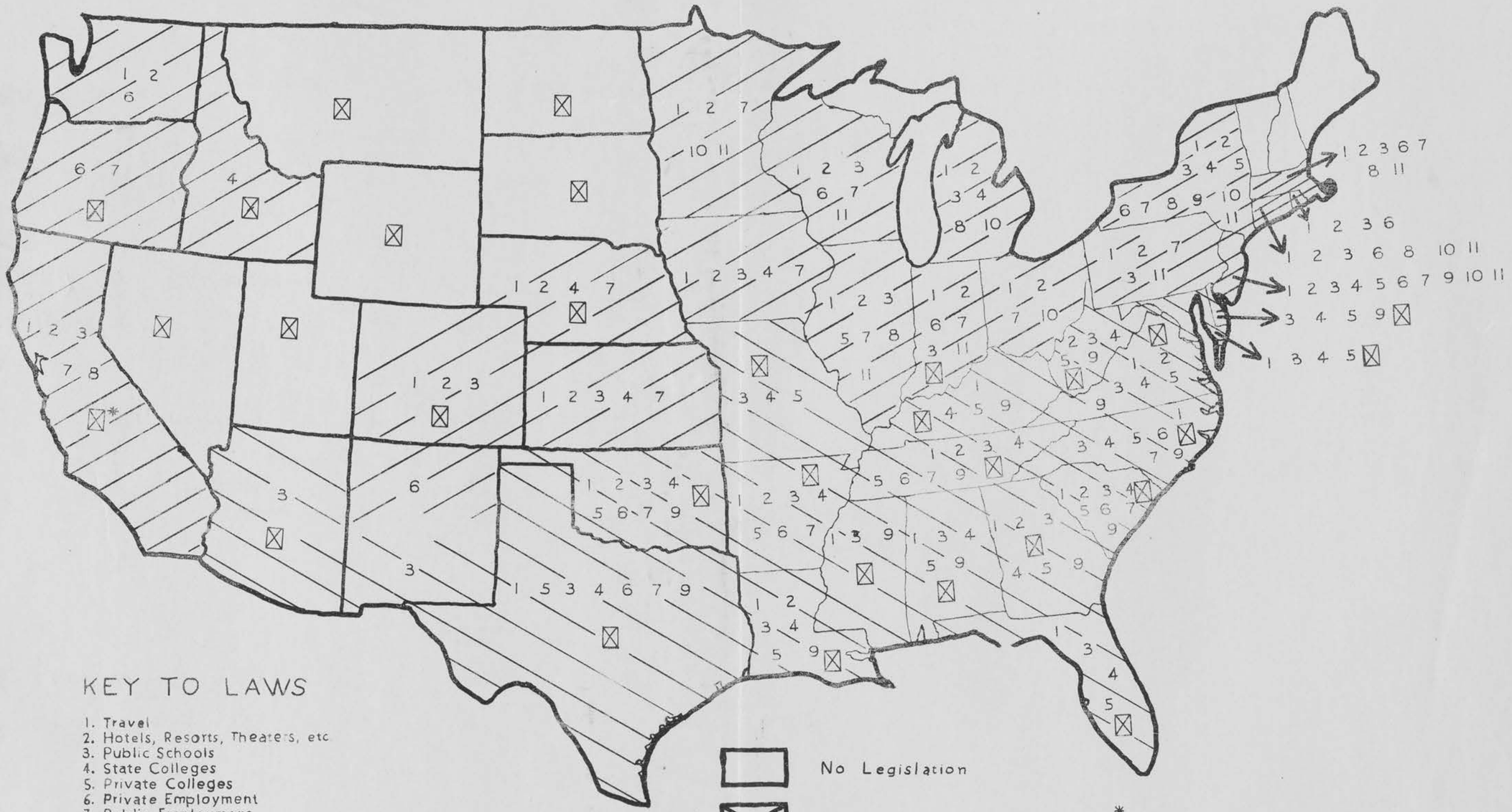
However, the number of cases dealt with by the FEPC is really no accurate measure of the effect of such a law, for adjustment of one individual complaint often leads to elimination of discriminatory practices throughout an industry. The Commission has found that provisions for enforcement are essential to obtain serious consideration of the problem.

Fall 1952

Kurt Wahl

Sale ?

A STATES' MAP OF CIVIL RIGHTS LEGISLATION



KEY TO LAWS

1. Travel
2. Hotels, Resorts, Theaters, etc
3. Public Schools
4. State Colleges
5. Private Colleges
6. Private Employment
7. Public Employment
8. Civil Service
9. Health, Welfare Facilities
10. Insurance
11. Public or State Aided Housing

* Calif. Law Declared Unconstitutional

No Legislation

Miscegenation Legislation.*

Legislation Prohibiting Discrimination (See Key for specific Laws).

Legislation Enforcing Discrimination (See Key for specific Laws).

HS

League of Women Voters of Minnesota
84 South Tenth St., Room 406
Minneapolis 3, Minnesota

January 1953
4¢
HF#_____
SF#_____

VETERANS PREFERENCE IN CIVIL SERVICE

League Stand

The League of Women Voters of Minnesota in the interests of responsible, efficient and democratic government in our state will work for AN EFFICIENT CIVIL SERVICE SYSTEM.

Resume

Authors of HF#1403 in the House were Mr. Illsley, Rinke, Forbes and Letnes. Authors of SF#1214, a companion bill in the Senate, were Mr. Duff, Novak, Johanson.

The 1951 Session of the Legislature made no change in the Veterans Preference Law although the Legislature has had the benefit of three studies of Veterans Preference. (The Legislative Research Committee report, 1948, merely examined the facts; the Little Hoover Commission Report, 1951, and the Interim Committee on Veterans Preference in Public Employment Report, 1951, made recommendations for change in the law.)

The outcome of the hearings of the Interim Committee on Veterans Preference (appointed by 1949 Legislature) was a bill approved by all members except the Disabled American Veterans representative. The bill did not get out of the Veterans and Military Affairs Committee in the House. (Chairman, Mr. Illsley; Vice-chairman, Mr. Clark) Lack of leadership plus indifference and lack of understanding of the existing situation, and the fact that the bill was very controversial undoubtedly were the reasons.

The Senate committee did pass the bill (Soldiers' Welfare and Soldiers' Home Committee; Chairman, Mr. Grottum); but since the House committee had killed it, Mr. Duff, the author, did not ask the Senators to vote on it. Instead he asked them to study the bill and come back next session prepared to take action on Veterans Preference.

In the closing days of the session a bill was passed authorizing the establishment of a civil service personnel system in any city of the second, third or fourth class, village or borough and providing for the operation and abolishment of such system. Such a merit system would be subject to the veterans' preference law without modification.

There are 4500 members in 49 Local Leagues in Minnesota in 47 of the Legislative Dist.
(The districts starred (*) have no League)

League of Women Voters of Minnesota January 1953

VETERANS PREFERENCE IN CIVIL SERVICE

Senators in the Legislature - 1953

(The names of Senators, in alphabetical order, the Legislative District he represents, the group he caucuses with (M means majority, and no mark means Minority), his answer to the 1950 League Questionnaire -- all this is included on the following chart, along with space for recording how he votes on a 1953 Bill for modification of Veterans Preference in Civil Service. The League Questionnaire asked: "Would you support legislation which would provide that:

a. Veterans receive a passing grade in examinations before preference is granted?
b. Preference be limited to 5 to 10 points?
c. Absolute preference be abolished?
d. No preference be given in promotional examinations?"

Y is a vote for modification.
Y? shows the Senator is for with reservations
Y followed by a,b,c,or d shows the Senator is for a portion of the question.

1953 VOTE	NAME of SENATOR	DISTRICT	CAUCUS	LWV 50?	1953 VOTE	NAME of SENATOR	DISTRICT	CAUCUS	LWV 50?
	Almen, A.L.	13	M			Lightner, M.C.	40	M	
	Andersen, E.L.	42	M	Y		Lofvegren, C.	47	M	
	Anderson, Andy	11	M			Masek, Joseph	39	M	
	Anderson, E.P.	51*	M			Mattson, Henry	54*		
	Anderson, M.H.	32		Y-bc		Mayhood, Ralph	31	M	
	Baughman, C.G.	16	M	Y		Miller, Archie	36	M	
	Bonniwell, M.	22		Y-ab		Mitchell, C.C.	55*	M	
	Burdick, W.	4	M			Mullin, Gerald	35	M	
	Butler, G.H.	57	M	Y-d		Murray, Louis	66*		
	Carey, D.M.	7	M			Novak, B.G.	38		
	Carr, Homer	59		Y-ad		O'Brien, Geo.	52	M	No
	Child, Fay G.	24*	M			Palm, Phil	26		Y?
	Covert, Homer	18	M			Pedersen, Hans C.	12*	M	
	Dahlquist, Wm.	65*	M			Peterson, Elmer	60		
	Daun, Joseph	15*	M			Rogers, Herbert	58	M	
	Dickinson, L.	62	M			Root, Chas. W.	33	M	
	Duemke, Emmett	29	M			Rosenmeier, G.	53	M	
	Duff, Philip	5		Y		Sageng, Ole	56	M	Y?
	Dunlap, Robt.	3	M			Salmore, Raphael	43		
	Engbritson, Earl	6*	M			Schultz, H.W.	37		
	Erickson, Chris	9*	M			Siegel, Geo. L.	41		
	Feidt, Daniel	34	M	Y?		Sinclair, Donald	67*	M	
	George, Grover	19	M			Sletvold, A.O.	63	M	
	Gillen, Arthur	20	M			Sullivan, H.H.	45	M	
	Grottum, B.E.	10	M			Vukelich, Thomas	61*		
	Imm, Val	8	M			Wagener, Henry	21*	M	
	Johanson, A.R.	48*	M			Wahlstrand, H.L.	25	M	Yb
	Johnson, C.E.	56*				Wefald, Magnus	49*	M	
	Johnson, J.A.	1*	M			Welch, Thos. P.	27	M	
	Julkowski, R.J.	28	M			Wrabek, F.M.	17		
	Keller, J.R.	2*	M			right, Don. O.	30	M	Y-db
	Larson, Norman	64*	M			Zwach, John	14	M	Yabc
	Lauerman, Leo J.	23	M						
	Ledin, W.L.	44	M						
	Lemm, Homer	46*							

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League of Women Voters of Minnesota January 1953

VETERANS PREFERENCE IN CIVIL SERVICE

Representatives in the Legislature - 1953

(The names of Representatives, in alphabetical order, the Legislative District he represents, the group he caucuses with (C means Conservative, L means Liberal, and no mark means the Legislator is new), how he answered 1950 and 1952 League Questionnaires -- all this is included on the following chart, along with space for recording how he votes on a 1953 Bill for Modification of Veterans Preference. The League Questionnaire asked: "Would you support legislation which would provide that: a. Veterans receive a passing grade in examinations before preference
b. Preference be limited to 5 to 10 points? (is granted?
c. Absolute preference be abolished?
d. No preference be given in promotional examinations?"

Y is a vote for modification.
Y? shows the representative is for with reservations.
Y followed by a,b,c,or d shows the representative is for a portion of the question.

1953 VOTE	NAME of REP.	DIST-RICT	CAU-CUS	LWV '50?	LWV '52?	1953 VOTE	NAME of REP.	DIST-RICT	CAU-CUS	LWV '50?	LWV '52?
	Allen,Claude	42	C				Eddy,Paul	27	C		
	Anderson,A.A.	55*					Enestvedt,O.	23	C		
	Anderson,D.F.	47					Erdahl,L.B.	7	C		
	Anderson,G.A.	48*					Ericson,Geo.	52	C		Y-a
	Anderson,H.J.	33	C	Y-ab	Y						
	Anderson,H.R.	15*	C				Ernst,Emil	22	C		
	Anderson,J.A.	50	C	Y							
	Anderson,M.	1*	C				Fitzsimons,R.	67*			
	Anderson,O.	24*	L				Forbes,G.	11	C		
	Appeldorn,J.	12*	L				Franz,Sam	10			
	Aune,Ole	50	C	Y?			Frederickson	10	C		
							French,Geo.	33	C		Y-ab
	Basford,H.	63	L				Friberg,Eric	67*	C		
	Beanblossom,S.	37	C				Furst,Frank	3			
	Bergerud,A.	36	C	Y	Y-abd						
	Biernat,Ted	28	L		Y-a		Gallagher,F.	20	L		
	Blomquist,J.R.	64*	C				Gibbons,A.T.	37	C		
	Bouton,Chas.	49*	C				Goodin,H.P.	35	L		N?
							Grittner,K.F.	39			Y-abd
	Campton,Chas.	57					Haeg,Larry	36	C		
	Chilgren,E.J.	62	L				Hagland,Carl	31	L	Y	Y-abd
	Cina,Fred	61*	L				Halsted,C.L.	53			
	Clark,Otto	47	L				Hartle,John	16	C		
	Croswell,W.J.	8	C	Y?			Herzog,Jacob	5	L		
	Cummings,Roy	11	C				Hinds,T.	63	C		
							Hofstad,A.O.	24*	L		
	Dahle,Omar	16	C				Holm,W.	12*	C		
	Daley,Geo.	2*	C				Holmquist,S.	26	C	Yabd	Yabd
	Day,Walter	65*	L				Holtan,O.J.	5	C	Y	Y-ab
	Dirlam,A.W.	14	C				Howard,John	43	C		
	Dunn,Roy	50	C								
	Dominick,A.	53					Iverson,Carl	48*	L		
	Duxbury,Lloyd	1*	C								

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1953 VOTE	NAME of REP.	DIST-RICT	CAU-CUS	LWV '50?	LWV '52?	1953 VOTE
	Johnson,A.I.	25	L			
	Jensen,Carl	14	C	Y-ad		
	Johnson,L.A.	31	L	Y-a	Y-d	
	Jensen, Roy	25	C		Y-a	
	Johnson,V.C.	30			Y	
	Kaplan,F.C.	54*	C			
	Karas,Joe	56*	L			
	Karth,Joe	41	L	No	Y-ab	
	Kennedy,K.	51*				
	Kennedy,R.B.	14	C	Y-ab		
	Kinzer,John	46*	C			
	Knutson,Coya	65*	L			
	Kording,H.J.	32		No	Y-b	
	Kosloske,John	45	L	Y-bd		
	Langen,O.E.	67*	C			
	La Brosse,F.	59	L		No	
	Langley,C.G.	19	C	Y-bcd	Y-ac	
	Legvold,Wm.	9*	C			
	Letnes,T.A.	66*	L			
	Lloyd,B.W.	12*				
	Lorentz,Joe	51*	C			
	Luther,Sally	30	L	Y-ad	Yacd	
	Madden,Leo	4	C		Y-b	
	McGill,John	2*				
	McKee,John	62	C		Y-ab	
	Moore,Warren	57	C	Y-ab	Y-ab	
	Moriarty,M.R.	21*	C			
	Mosier,Leo	35	L	Y	Y?	
	Mueller,A.B.	15*	C			
	Murk,Geo.	29	L	Y?	Yac	
	Nelson,K.O.	49*				
	Nelson,Will	13	C			
	Nordin,John	44	C	Y-bd	Y-b	
	Oberg,A.F.	56*	C			
	O'Dea, Richard	43			Y	
	Odegard,Edwin	55*				
	O'Malley,Tom	58	C	Y-a	Y-ab	
	Ottinger,H.	21*	C			
	Otto, A.J.	40	C			

NAME of REP.	DIST-RICT	CAU-CUS	LWV '50?	LWV '52?
Parks,C.	42			
Peterson,O.	13	C		Y-a
Peterson,P.K.	34	C	Y-abd	Y-ad
Pischel,F.A.	17			
Podgorski,A.	38	L		
Popovick,P.S.	40			
Prifrel,Jos.	38	L		Y-bd
Reed,Dewey	45	L		
Rinke,Carl J.	48*	C		
Rutter,Loren	60	L		Y-ab
Schulz,Roy	8	C	Y-ab	
Schwanke,F.W.	53	C		
Shipka,V.	52	L		
Shovell,Bill	41			Y-ab
Silvola,R.H.	61*	L		
Skeate,John	29		No	No
Sorenson,Wm.	48*			
Sundet,A.O.	18			Y-ab
Swanstrom,D.E.	59	C	Y	
Swenson,Glen	27			
Talle,Irvin	6*	C		
Thompson,T.	1*	C		
Tiemann,E.C.	46*	L		
Tomczyk,E.J.	28	L		No
Tweten,R.H.	66*	C		
Van De Riet	9*			
Volstad,E.J.	32	C		Y-b
Voxland,Roy	19	C	Y	
Wanvick,Arne	58	L		
Welch,Vernon	34	C		Y
Widstrand,P.B.	60	L		Y-ab
Windmiller,E.	50	C		
Wozniak,D.D.	39	L	Y?	Y-a
Yetka,L.	54*	L		

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League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

February 16, 1953

STATEMENTS FROM CANNING COMPANIES IN STATES WITH FAIR EMPLOYMENT LAWS

In hearings before committees of the Minnesota Legislature on proposed fair employment bills during previous sessions, the question has been raised as to whether a law eliminating discrimination in employment because of race, creed, color, or national origin would work a hardship on the canning industries of the state. In 1947 or 1949 it was not surprising that such a question might cause concern. In 1953, however, we have a fund of experience in 7 states with enforceable laws similar to HF 518, SF 431 upon which to draw for information. In order to make this experience available to Minnesotans, the Civil Rights Committee of the League of Women Voters of Minnesota wrote to the state commissions or agencies which administer the fair employment laws of Massachussets, Connecticut, New York, Oregon, Rhode Island, Washington, New Jersey, Philadelphia, and Cleveland, as follows:

...."we are writing you for copies of statements from responsible officials in the canning industry in your state, in regard to their experience with your FEPC law.

"We are supporting the proposed bill to establish a Commission for Employment on Merit in this state. Some of the most serious opposition has come from representatives of the canning industry. We would like to know if their fears are justified. Therefore, we should like an objective statement from firms with actual experience in operating under FEPC law.....If you do not have copies of statements, we would appreciate receiving the names of canning companies which we might contact for a statement."

To a number of canning company executives in these states we wrote as follows:

"The League of Women Voters of the State of Minnesota has for several years supported a proposed bill in the Minnesota Legislature setting up a Fair Employment Practices Commission.

"A new session of the legislature has convened this month and in the interest of intelligent voting we would like to solicit your cooperation. Since there has been a Fair Employment Practice Ordinance in your state for some time, we would be interested in obtaining any information that you might care to divulge with reference to the working of the law in your plant."

To 20 letters, written between the 6th and the 16th of January, 1953, we have, to date, received 15 replies, which may be summarized as follows:

New Jersey (FEPC law passed in 1945)

From Joseph L. Bustard Asst. Commissioner of Education
New Jersey:

"we have had very pleasant relationships with a number of large companies in this state engaged in the canning industries."

Dated January 13, 1953

From J.A. Rockwell, Manager of Personnel, H. J. Heinz Company-Makers of the 57 Varieties, Salem, N.J.

"The City of Salem, (pop. 9500), is located in the southern part of New Jersey and has a large colored population, but very few foreign or religious minority groups. Our plant here is a branch factory, operating as a manufacturing unit almost solely during the tomato season from July to October. We employ many colored workers regularly and recruit many Southern Negroes and Puerto Ricans during the tomato season.

"We have had no actual contact with the Law Against Discrimination and have no reason to believe the law has not been administered properly. It has not interfered with our prerogatives to date and we have had no matters of discipline or grievance resulting from it. Personally, we feel that the situation concerning the functioning of the law is about the same in similar industries of this areas."

Dated January 26, 1953

From Francis C. Stokes, President Francis C. Stokes Co., Vincentown, New Jersey:

"I am very pleased to know that The League of Women Voters of Minnesota is supporting a proposed bill on FEPC. A similar law has worked very well in New Jersey. It covers all minorities, for it is based on the theory that we are all God's children.

"We accept applications from anyone here. Because of the very large preponderance of whites in the community we do not have many Negroes in our employ, perhaps about a dozen all together. They are respected, they work side by side with the whites, and they share the same accomodations in our restaurant, and restrooms.

"May I wish you full success in your effort to pass a similar law in Minnesota. You probably have fewer Negroes in Minnesota than we have here in New Jersey. It is just as important, however, for Minnesota to have an FEPC law as for us to have it, or for any other state.

"I might add that Mrs. Stokes spent many years of her life working for the League of Women Voters."

Date January 20, 1953

From Earl L. McCormick, Director of Employment Relations, R. P. Ritter Company, Bridgeton, N. J.

"New Jersey has had a Fair Employment Practice law for quite some time but so far as our particular plant has been concerned it has had little or no effect one way or another.

"Racial and religious discrimination in New Jersey is almost a thing of the past so far as employment is concerned. We may have a few areas remaining where discrimination is in evidence but they are few and far between."

Date January 23, 1953

State of Washington (FEPC law passed in 1949)

From Glen E. Mansfield, Executive Secretary, Washington State Board Against Discrimination in Employment writes:

"I have purposely delayed replying to your letter of January 6, 1953 pending the receipt of the enclosed letters from a canning firm.

"I regret that I could not obtain more letters from several representatives of the local canning industry, all of whom endorse our law verbally, but who have been cautioned by someone not to oppose the canning interests in your state by such endorsements."

Dated February 4, 1953

From J.G. Blasingame, Secretary Washington Fish and Oyster Co., Inc. Seattle, Washington

"Concerning the provisions of the Washington State F.E.P.C. enacted in 1949, I can say in all honesty that the enforcement of this law has interfered in no way with the operation of our business."

Dated January 12, 1953

Oregon (FEPC law passed in 1947)

From William S. Van Meter, Deputy Commissioner of Labor Fair Employment Practices Division, Bureau of Labor, Oregon:

"I have asked Mr. Ernie Garbarino, personnel manager of Paulus Bros. Packing Company....and Mr. E.S. Benjamin, secretary, AFL Cannery Worker's Union, Local 670... to write you concerning their experiences with the employment of members of minority groups in the canning industry. Both of these men state that persons of all colors and nationalities have been employed in the Salem canneries without incident...

"My experience in the administration of the FEPC Act in Oregon does not indicate that there is any discrimination in employment in the canning industry. We have received excellent cooperation from both management and labor in the canning industry."

Dated February 4, 1953

from Mr. Benjamin:

"Our Union represents over 5000 cannery employees in this area covering most of the plants in the mid-Willamette Valley. We have operated under our FEPC law since its inception and have yet to have our first problem under the Act.

"Our Employers accepted the Act with some misgivings, but since it was written in practical form and administered by a fair-minded State Department, they no longer question the purposes for which the law was written."

New York Dated January 30, 1953

"I believe there has only been one complaint filed against a canning firm in the seven and one-half years of our existence and that was with regard to a manager of a camp."

From John R. Fox, Executive Director State Commission Against Discrimination, State of New York Date January 13, 1953.)

Massachussetts:

"We have had no cases against canning companies."

Date January 15, 1953

Rhode Island :

"I should like very much to be of assistance to you in your research study; but as there is no canning industry of any importance in this state, I'm afraid that on this particular issue I can serve no value."

Date January 9, 1953

Connecticut:

"Connecticut does not have canning industries. There are only two small canneries in the state which operate on a seasonal basis."

Dated January 8, 1953

As yet we have received no unfavorable reply.

SPECIAL LEGISLATIVE MEMORANDUM
FROM OTTO F. CHRISTENSON
January 2, 1953

F. E, P. C.

Here is another controversial issue upon which there are widely divergent views, and which is strongly urged by the CIO, the League of Women Voters, the AFL, and is included as a plank in both the Republican and DFL platforms.

Briefly, the proponents of this measure say that it is necessary to pass legislation "with teeth" to eliminate discrimination in the employment practices of our companies in Minnesota. They say a sufficient amount of discrimination because of race, color or religion prevails so that compulsory legislation with jail sentences for employers is the solution to the problem.

They propose that a commission be created by the Governor, with a Director and staff of assistants, to pass upon the complaints of people who complain that they were not hired because of their race, creed, color, or national origin. Conciliation procedure would be provided for. If the Commission found an employer had acted contrary to the proposed law, and if conciliation were unable to persuade the employer to discharge the person he hired, hire the person he chose not to hire, and prove compliance with the order of the Commission, then the "teeth" recommended would go into operation. He could be compelled to pay back wages to the person he did not hire - from the time he chose not to hire him - and on contempt proceedings in court he could be committed to jail for contempt of court until he did comply.

This bill has failed of passage by narrow margins in previous sessions, and is commended in the Republican platform this year in the following terms:

> "We strongly urge the next Legislature to enact an equality of opportunity law which will assure all citizens of Minnesota the right to be employed to the full measure of their ability and job qualifications, without regard to race, color, creed or national origin."

The DFL platform includes this statement among others:

> "We reaffirm our belief that national and Minnesota state governments should adopt all measures necessary to protect the civil rights of all our people, regardless of sex, race, color, creed or national origin."
>
> "We propose the enactment of Fair Employment Practices Laws with enforcement powers and adequate finances."

There are many arguments advanced against passage of the law:

(1) Only 8 states in the Far East or Far West part of the United States have passed such a law. They are states with heavily foreign-born populations, and the laws were passed by New Deal Legislatures 8 to 10 years ago. The success of these laws are highly debatable, depending pretty much on the attitude of the people involved. All Middle-Western states have had the law proposed to them and turned down compulsory FEPC laws in each.

(2) Even debate of the law brings on emotional tensions and arouses antagonisms rather than eliminates them.

(3) Employers should be free to select their own personnel without the interference, rulings or enforcements of government agencies. It is taking power away from the people and giving it to the government when many believe that what we need now is to take some powers away from the government and give them to the people.

(4) There is no real need for this legislation in Minnesota. The problem has been and is being met by education and understanding.

(5) Some jobs by their very nature require discrimination. For example, one may need people who can speak certain foreign languages, or at least find such employees desirable in certain areas. Perhaps a Norwegian salesman may appeal to a Norwegian employer who wants him to work in a Norwegian community, etc.

The placing of every man and woman in a job is the matching of his or her personality with the job. Sales people in particular are selected with the view of what type of appearance, speech, etc. will sell the most merchandise. Employers should be free to discriminate in favor of those the employer believes will do the best job, not who a government commission considers may do the job satisfactorily.

The law would also apply to promotions and discharges. Many employers argue that they should be free to make their own promotions, entirely free from governmental interference.

(6) Unfavorable and sometimes disastrous consequences might arise from unfavorable publicity in a community where it became known a complaint was made. The bill might encourage boycotts and picketing. Blackmail is also possible under such a law where some employers would rather pay off somebody than fight charges whether true or untrue.

(7) The bill fails to provide any protection or recourse against false complaints, except that the complaint be dismissed.

(8) The law is discriminatory in itself in that it discriminates against majority groups in favor of minority groups. It gives the minority special privileges because only those of the minority will file complaints.

NEWS BULLETIN

MINNESOTA COUNCIL FOR EMPLOYMENT ON MERIT

No. 3 -- February 20, 1953

NOW IS THE TIME TO ACT!

Here is the picture:

1. The Senate: We have had our hearing before the Senate Judiciary Committee. The opposition has been heard. Committee members are now considering their action. NOW IS THE TIME TO URGE YOUR MEMBERS TO WRITE THE SENATORS WHO ARE MEMBERS. GET LETTERS OR TELEGRAMS TO THESE COMMITTEE MEN IN THE MAIL THIS WEEKEND TO REACH THEM BY NEXT TUESDAY.

2. The House: The House Hearing has been set for Monday, March 2, 12:30 p.m.

   Opponents will be heard at the same time and it is possible that the committee also will act at this same meeting. Therefore, NOW IS THE TIME TO URGE YOUR MEMBERS TO WRITE THE MEMBERS OF THE HOUSE LABOR COMMITTEE. Get letters to these Representatives between now and March 2, giving your organization's stand and urging them to act favorably on HF 518.

REPEAT REPEAT REPEAT REPEAT REPEAT REPEAT

In case you have mislaid NEWS-BULLETIN NO. 1, we are repeating the names of the Senate Judiciary Committee and the House Labor Committee. Here they are:

SENATE JUDICIARY COMMITTEE

Name	Dist.	County
A. O. Sletvold	63	Becker-Hubbard
Robert R. Dunlap	3	Wabasha
Chris L. Erickson	9	Martin-Watonwan
Daniel S. Feidt	34	Hennepin
Arthur Gillen	20	Dakota
B. E. Grottum	10	Cottonwood-Jackson
A. R. Johanson	48	Big Stone-Grant-Stevens-Traverse

Name	Dist.	County
Raymond J. Julkowski	28	Hennepin
Leo L. Lauerman	23	Renville
Milton C. Lightner	40	Ramsey
Joseph H. Masek	39	Ramsey
Archie H. Miller	36	Hennepin
C. C. Mitchell	55	Kanabec-Mille Lacs-Sherburne
Gerald T. Mullin	35	Hennepin
Charles W. Root	33	Hennepin
Gordon Rosenmeier	53	Crow Wing-Morrison
Harold W. Schultz	37	Ramsey North
George L. Siegel	41	Ramsey
Henry H. Sullivan	45	Benton-Sherburne-Stearns
Magnus Wefald	49	Clay-Wilkin
Thomas P. Welch	27	Wright
Donald O. Wright	30	Hennepin

HOUSE LABOR COMMITTEE

John Kinzer	46	Stearns, 2nd Division
A. Dominick	53	Morrison
Harold R. Anderson	15	Nicollet
Ole Aune	50	Otter Tail
Lloyd Duxbury	1	Houston
Emil Ernst	22	McLeod
Frank Furst	3	Wabasha
H. P. Goodin	35	Hennepin
Jacob Herzog	5	Mower
Joe Karth	41	Ramsey
Odin Langen	67	Kittson
B. W. Lloyd	12	Murray
Howard Ottinger	21	Carver
O. O. Peterson	13	Yellow Medicine
Fred Pischel	17	LeSeuer
A. Podgorski	38	Ramsey South
Joseph Prifrel	38	Ramsey North
Edward Volstad	32	Hennepin

HOUSE LABOR COMMITTEE HEARING will be March 2, 12:30 p.m. We will have 25 minutes for our arguments and the opponents will have a like period. Committees from the Executive Board are now at work on formulating the best possible presentation.

AN EFFECTIVE PRESENTATION, well-received and well-reported in the press, was made on Tuesday, February 17, before the Senate Judiciary Committee.

GEORGE M. JENSEN, Chairman of the Minnesota Council for Employment on Merit, made the principal presentation.

He stressed these points:

1. That discrimination does exist in Minnesota.

2. That such discrimination is morally indefensible, economically wrong, and politically dangerous.

3. That Senate File 622 can be the means by which such discrimination can be eradicated.

4. That business will not suffer but will be benefited by passage of this legislation.

Robert McClure, University of Minnesota law professor, explained the technical provisions of the bill.

Testimony began from a group of widely representative persons present, along these lines:

Stuart Leck, President, James Leck Construction Co., Minneapolis: "I believe this legislation will be beneficial to both employers and labor unions. It will provide a place where grievances, both real and fancied, can be brought before the bar of justice."

Howard Seesel, President, Field-Schlick, Inc., St. Paul: "I believe there is great merit to this bill. It will be good for both employer and employees."

Ralph Sommer, Employment Manager, Midland Cooperative Wholesale, Minneapolis. "We have had experience with this type of legislation in the Minneapolis FEPC and find it highly beneficial."

David Babcock, Personnel Director, The Dayton Company, Minneapolis. "My experience in Rhode Island under a state law and in Minneapolis under FEPC leads me to recognize that the problems foreseen by some opponents are more fancied than true. In as tough and tight a labor market as we have today, our company believes this bill will be a real help to employers."

Leonard Ramberg, Secretary, The Burma Vita Co., Minneapolis. "I had misgivings about the Minneapolis FEPC but I find it works. I believe this legislation is in the best interests of the entire community."

Karl Rolvaag, State Chairman, DFL Party of Minnesota: "Let me read from the DFL platform supporting this legislation....."

Mrs. Russell T. Lund, State Chairwoman, Republican Party of Minnesota: "Let me quote from the Republican platform supporting this legislation and remind you that President Eisenhower, in supporting civil rights legislation, has urged that it be handled on the state level."

Mrs. R. C. Duncan, Minneapolis, Minnesota League of Women Voters: "The League of Women Voters studies both sides of questions before deciding to support legislation. We are united in our support of this legislation."

Mrs. Duncan presented Senate Committee members with results of two pieces of research work on the part of the League.

1. Results of a survey of canning companies located in states with employment on merit legislation on the books.

2. Previews of the copy to be used in a leaflet "Employment on Merit and Your Business," 10,000 of which will be distributed to businessmen of the state in the very near future.

Both of these pieces of material will be made available to you in the immediate future.

MEETINGS ON EMPLOYMENT ON MERIT:

Friday, Feb. 20, 8:30 p.m.: Hillel Foundation, 1521 University Avenue SE; Panel discussion with audience participation: "FEPC--Boon or Blight." Speakers: George M. Jensen and Otto F. Christenson, executive vice-president, Minnesota Employers Association.

Monday, February 23, 7:15 p.m.: Hamline University, Legislative Conference, Minnesota State Council of Churches, Speaker: George M. Jensen.

Wednesday, February 25, 3:30 p.m.: Coffman Memorial Union, University of Minnesota, University Republican Club; Debate: Wilfred C. Leland, Jr., Executive Director, Minneapolis FEPC and Otto Christenson, Minnesota Employers Association.

THEY ALSO SERVE---Ready to testify at the Senate Judiciary Committee hearing but unable to do so because the hearing began 20 minutes late and time ran out were Frank Marzitelli, St. Paul Commissioner, for the Minnesota Federation of Labor (AFL); Carl Hennemann, St. Paul Newspaper Guild, Minnesota State Industrial Union Council (CIO); York Langton, Minnesota United Nations Association; Charles Ackley, American Indians, Inc.; Mrs. David Aronson, Minnesota Congress of PTAs; Frank M. Smith, Minnesota Conference, NAACP; Mas Teramoto, United Citizens League; Mrs. Temina Cohn, National Council of Jewish Women; Rev. Russell Myers, human relations groups in the state; Edwin Christianson, Minnesota Farmers Union; Rev. Edward S. Martin, St. Paul

Trinity Methodist Church, Minnesota Council of Churches: Rev. Francis Gilligan, Governor's Inter-Racial Commission; Thomas Talley, Urban League of St. Paul and Minneapolis.

NOTE: The number of the Senate bill has been changed to SF 622. Please refer to the proper number in your correspondence with senators.

THE BLASTS WERE TEMPERED SUBSTANTIALLY in the opinion of long-time workers for employment on merit legislation, who attended the hearing for opponents of the bill on Thursday, February 19. The same arguments were presented; many inaccurate statements made and mis-information given but for the first time the opponents did not claim to represent ALL EMPLOYERS.

DO NOT RELAX OUR EFFORTS--It would be fatal to take anything for granted. Many more people are informed on the real advantages of this legislation than were two years ago--but many still are not informed and will believe the false statements of the opponents. Carry on your campaign of education and of correspondence with senators and representatives at full pitch. IT IS ESSENTIAL IF WE ARE TO SUCCEED.

THE RESULTS CAN WELL DEPEND ON YOUR EFFORTS!

such action as in the judgment of the Board will effectuate the purposes of the Act. Upon notice of such order the respondent, or upon non-compliance, the Commission, may institute a proceeding in the District Court of the appropriate district for a judicial review of the case. The District Court then has exclusive jurisdiction of the controversy subject to appeal to the Supreme Court in due course.

(c) *The District Court:* In court the primary issues are whether the findings of the Board are supported by the evidence as appearing in the transcript of proceedings at the hearing, and whether the findings support the order. The court may:

(a) Remand the proceeding for further hearing by the Board;

(b) Take additional evidence;

(c) Order a trial DE NOVO to the Court;

(d) Grant temporary relief by an appropriate order;

(e) Order the respondent to comply with the order of the Board;

(f) Set aside the order and dismiss the proceeding;

(g) Grant other relief appropriate to the findings of the Board or the Court.

The Act does not specifically provide penalties for violation; but under the general law non-compliance by the respondent with an order of the Court requiring action or non-action on his part would be contempt of court and punishable accordingly.

The Act calls for an appropriation of $10,000 to be immediately available, $30,000 for the fiscal year 1953-54, and $40,000 for 1954-55.

Digest of

Employment on Merit Bill

State of Minnesota

Senate File No. ~~431~~ 622
House File No. 518

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By EDWARD F. WAITE
Retired District Judge
Hennepin County

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MINNESOTA COUNCIL FOR EMPLOYMENT ON MERIT

500 Northwestern Federal Building
Minneapolis 3, Minnesota
LIncoln 6781

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Senate Authors:
GERALD T. MULLIN, Minneapolis
THOMAS D. VUKELICH, Gilbert
ELMER L. ANDERSON, St. Paul

House Authors:
CLARENCE LANGLEY, Red Wing
P. KENNETH PETERSON, Minneapolis
STANLEY HOLMQUIST, Grove City
EDWARD CHILGREN, Littlefork
JOSEPH PRIFREL, St. Paul

Introduced: February 4, 1953

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." The bill also aims to afford to all concerned protection against unfounded charges of discrimination.

It is broadly modeled upon legislation which has been in effect in New York and New Jersey for seven years, and in Massachusetts, Connecticut, Rhode Island, Washington and Oregon for from three to six years.

Scope: It applies uniformly throughout the state to employers, labor unions and employment agencies, but does not cover:

(1) Employers of fewer than eight persons;

(2) Persons employed in domestic service;

(3) Religious or fraternal organizations, with respect to religion.

It specifically does not cover discharge of an employee during a probational period of sixty days or less, established by a collective bargaining agreement or a custom applicable to all employees.

It declares each of the following acts to be an "unfair employment practice":

(1) For a labor organization, because of race, religion, color or national origin of any person, to exclude or expel him from membership, or discriminate against him in any of the incidents of membership;

(2) For an employer, because of like reasons, to refuse to employ him, to discharge him, or to discriminate against him in respect to any of the incidents of employment;

(3) For an employment agency to make a like discrimination in listing or referring for employment;

(4) For an employer, labor organization or employment agency to discriminate against any person because of conduct reasonably designed to effectuate the purposes of the Act;

(5) For any person to aid or incite another to violate any provisions of the Act, or

(6) Attempt to do so.

(7) For an employer, employment agency, investigating agency or labor organization to disclose in any advertisement relating to employment or membership an unlawful discriminatory preference.

ADMINISTRATION and PROCEDURE

(a) The Commission: There is created a "Commission for Employment on Merit," consisting of nine persons to be appointed by the Governor with the consent of the Senate. They are to serve without compensation, having an office in St. Paul and traveling about the state as may be necessary. The Commission is charged with the administration of the Act, its general duties being to investigate and, by advice and persuasion, correct alleged unfair employment practices, and help to create an informed public opinion in the field to which the Act relates. It appoints an Executive Director and prescribes his duties.

Any person claiming to be aggrieved by a violation of the Act may, within six months thereafter, file a complaint with the Commission. If, on investigation, the Commission determines there is probable cause to believe an unfair employment practice has occurred, it undertakes to correct it "through education, conference, conciliation and persuasion." This failing, it requests the Governor to appoint a Review Board to conduct a hearing. (If the Commission believes that an unfair practice has occurred it may itself commence a proceeding without complaint by an aggrieved person.)

(b) Review Board: The Governor then appoints a Review Board of three persons to hold a hearing on the disputed issue in the county where the alleged practice occurred, or where the person charged with the same, styled the respondent, has his principal place of business. Each member of the Board receives $20.00 per day while actually employed on the case, with necessary expenses of travel.

At the hearing, the Board is required to apply the rules of evidence as observed in courts of law, except that it shall not receive any evidence pertaining to the efforts of the Commission to settle the dispute through the conciliation effort prescribed by the Act. If the charge is found unproven, the complaint is dismissed. If found proven, the Board makes findings of fact and issues an order that the respondent cease the unlawful practice found to have existed and take

MINNESOTA EMPLOYERS' ASSOCIATION
1600 Pioneer Building
St. Paul 1, Minnesota

Feb 9-1953

COPY

Mrs. Romaine Powell, President
League of Women Voters
Bemidji, Minnesota

Dear Mrs. Powell:

I have received your letter of February 7. It certainly deserves an immediate answer.

On January 7 I spoke to the Lions Club at Bemidji. I gave a talk entitled, "Six Hot Potatoes," one that I have given in several cities and a number of times in the twin cities. It gives both sides of the 6 most controversial issues I expect to be at issue before this session of the Legislature - they being, party designation, reapportionment, FEPC, state constitutional convention, proposed 50-foot truck law and police powers to state liquor inspectors.

As to the first 4 enumerated above, I stated that they were supported by the CIO, AFL, League of Women Voters, Republican platform and Democratic Farmer Labor platform. I, of course, did not refer to your organization or any of the others as a "pest," nor did I make the statement that the League of Women Voters "lobby without arguments based on fact and without the support of their own membership" nor any similar statement or implication.

In fact, I made no reference to your organization, nor to any of the others, except that in each instance where these organizations had endorsed one of these 6 controversial measures I pointed out what organizations had done so.

After all, if your organization is no longer going to be an objective organization of women seeking to inquire into matters of concern to

voters, and instead is to be an active militant lobbying group for a selected group of bills, some of which will be viewed as adverse to the welfare of the operation of industries and businesses of your state by many of the men who operate them, you will have to assume that someone will differ with the advisability of your activities and comment upon the same.

In every organization there are people who love a fight, and who desire publicity and who are militant and aggressive, just as there are gentlemen and gentlewomen who prefer to avoid one. We recognize your right to become a lobbying organization, but I respectfully point out that, if you want to agitate for legislation that many people in industry and business and other fine people oppose, you cannot expect everyone to be happy with your actions.

I should be very happy to come to a meeting of your Bemidji League of Women Voters and repeat the address I gave the Lions Club. It might be interesting to those of your members who have only heard one side of these controversial subjects.

With sincere good wishes to all of you in Bemidji, I am

Cordially yours,

(s) Otto F. Christenson

OFC:mlm

Executive Vice President

February 10, 1953

My dear Mr. Christenson:

Recently you spoke to the Bemidji Lions Club at which occasion you called the League of Women Voters one of four organizations considered by you to be pests in the state legislature. I can forgive you for this statement; a lobbyist is supposed to be a pest-- that's part of his job. But because you also made the statement that the League of Women Voters lobby without arguments based on fact and without the support of their own membership, you have cast doubt in the minds of local citizens as to the reputation of our organization.

You came into Bemidji at a time when the League was at its height in prestige locally. We nominated Bemidji for the All-America Cities Award sponsered by the National Municipal League and LOOK magazine. Bemidji League members wrote the letter of nomination, represented our city in San Antonio, Texas, before a jury of eminent critics of government headed by Dr. George Gallup, and paid all of the expenses involved in securing for Bemidji the honor of being chosen one of eleven cities in the United States (out of 150 contestants) who received the All-America Cities Award from the National Municipal League. Mr. Lloyd Hale, a regional vice-president of this League presented us with the award certificate last Saturday evening.

We, as a League, may disagree with you on Fair Employment legislation, but we believe that our arguments are based on facts. The majority of our members favor the law proposed by Senator Rosenmeier in 1950. We have League members opposed to this law just as you have employers who favor it. (Bradshaw Mintener and Abbott Washburn are notable examples.)

Because you have cast doubt upon the League's reputation in Bemidji, I have sought the legal counsel of my husband who is practicing law with Mr. Herbert E. Olson, county attorney. We feel that the reputation of the League of Women Voters has been jeopardized and that the true picture should be restored. We would like you to explain your position in this matter to us and to the members of the Lions Club to whom you spoke.

Perhaps there are many areas of government activity upon which you and the League are in agreement.

I am anxious to hear from you at your earliest convenience.

Very truly yours,

Mrs. Romaine Powell
President
League of Women Voters
Bemidji, Minnesota

Sent to Board, Minn. Employers Assn.
along with League pamphlet & Fortune Reprint

LEAGUE OF WOMEN VOTERS OF MINNESOTA
84 SOUTH TENTH STREET, ROOM 406
MINNEAPOLIS 3, MINNESOTA
Atlantic 0941

March 27, 1953

You have doubtless read in the newspapers about the "watered down" Employment on Merit bill which is being considered by the Legislature. As a business leader of influence, you will wish to be fully informed on a subject of such current importance to the Minnesota business community.

After a careful study based upon the pros and cons of fair employment legislation, upon tangible evidence derived from experience in Minneapolis and other states, and upon the proposed bill, S.F. 622; the League of Women Voters of Minnesota decided that this bill would be good for business as well as for the community as a whole. We were joined in this opinion by a number of outstanding business leaders in the state, some of whose names you will find listed on the enclosed Employment on Merit and Your Business.

It was, therefore, with some reluctance that we recognized the necessity of reaching a compromise in order to eliminate what seems to have been the cause of the greatest opposition to the bill. Even though in eight years' experience in seven states and three cities no employer has ever been fined or jailed, there seem to have been many who feared the court enforcement powers which have now been eliminated by the Grottum-Rosenmeier amendments in the Senate and the Harold R. Anderson amendments in the House.

We agreed with Mr. Anderson when he said that the amended bill offers opponents and proponents alike an honest compromise which will enable us to experiment for two years with an educational program backed by the force of public opinion and to assemble official non-controversial information with regard to discrimination in employment.

At this point we expect that a great many businessmen, who were sincerely in favor of employment on merit but who were not convinced that court enforcement was the answer, will be interested in current information with regard to this legislation and will back the amended bill.

We therefore enclose some of the material which we have assembled within the past ten months. The League stands ready to document any statement which it makes. If you would be interested in more information, please write for How Valid Are the Arguments Against Fair Employment Legislation.

Sincerely,

Mrs. John Gruner, Chairman
Civil Rights

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

March 11, 1953

NEW EVIDENCE AND NEW REBUTTAL ON THE EMPLOYMENT ON MERIT BILL

Will the law cause intergroup conflicts?

One of the chief boasts of American democracy is that here people of all national origins, creeds, and colors live harmoniously together in freedom, respecting each other as individuals. You gentlemen of the Minnesota legislature do not refuse to sit side by side or to work together on committees because you have different religious faiths, racial or national origins. We hold that it is un-American and an admission of the failure of democracy to maintain that it would stir up dissension if an Irish Catholic were employed in a Norwegian Lutheran community, or if colored waiters, porters, and redcaps should work side by side with whites. Such integration has already been successfully accomplished in forward-looking communities. Because certain railroad jobs have been traditionally stereotyped for Negroes does not mean that such an arrangement is either necessary or desirable.

Will the law cause sweeping changes of personnel?

If this bill passes people will continue to apply for jobs, as they now do, chiefly in the communities where they live. It will not cause Catholics to rush into Lutheran communities or urban racial groups to migrate into rural areas. We have statistics to show that employment on merit laws in other states have not caused migrations.

Are employers opposed to this legislation?

The opposition has made sweeping claims with regard to universal opposition to this bill by employers. We have brought you, on the back page of our brochure, "Employment on Merit and Your Business" the names of 20 outstanding Minnesota executives who have studied carefully this bill and related material, and have given their endorsement to enforceable employment on merit legislation. Many of these employers have had extensive experience with integration of minority group workers, and many of them have worked for 6 years under the Minneapolis Fair Employment Practice Ordinance.

Is government regulation always a menace to business?

On page 8 of the 1100 page report of the Economic Principles Commission of the National Association of Manufacturers published in 1946 and entitled "The American Individual Enterprise System; Its Nature, Evolution, and Future", we find this statement: "complete freedom, of course, is not possible under modern industrial conditions. Furthermore, it is not advocated by anyone. On the contrary, everyone, regardless of his political philosophy or his economic predilections, now recognizes that in certain phases of our economic system it is not only desirable, but is absolutely essential, for certain rules to be set by law."

Are employers not guilty of discrimination subjected to publicity?

We challenge any statement to the effect that employers who have been unjustly accused and later exonerated have ever been embarrassed by publicity under any employment on merit law. These laws prohibit any publicity until an employer's refusal to submit to conciliation brings him to the public hearing stage. Only 7 cases out of a total of over 5000 which have come up in the entire country since the first fair employment law was passed, have ever reached a stage where there was any official publicity.

Does the law protect employers against unwarranted suspicion of discrimination?

An applicant who feels that he has been discriminated against can complain to his friends and others in the community about an employer whether we have a law or not. Only when an impartial official agency such as an Employment on Merit Commission is set up, can the employer be exonerated in cases where the suspicion of discrimination is unwarranted.

Will hiring teachers without discrimination create community problems?

The successful Minneapolis and St. Paul experience over a period of years with a number of highly qualified and successful teachers of practically every minority group belies the alarmist predictions of the opposition who would have us believe that this bill would disrupt Minnesota schools. Mr. George M. Jensen, president of the Minneapolis Board of Education, says: "The Minneapolis public schools have for some time employed teachers whose qualifications meet Minneapolis standards regardless of any differences in race, religion, or national origin. Under the Minneapolis fair employment ordinance these teachers have been integrated wherever vacancies occured and we have encountered no difficulties. On the contrary, this policy has been very helpful to us in meeting the current crucial teacher shortage."

Does an Employment on Merit commission ever select employees for an employer?

This impression might easily have been derived from reference by opponents of the bill to "a government agency" which was alleged to have selected workers for a canning company (which they did not name.) No fair employment commission ever selects employees for an employer, nor does any other government agency. State employment agencies may assist in recruiting workers, but the final selection is always left to the employer.

Would a Minnesota Employment on Merit act interfere with migrant labor contracts upon which Minnesota canning companies depend for seasonal labor?

The United States government stipulates that full use must be made, first of the local and then of the domestic labor supply before migrant labor can be brought in from other countries. The Minnesota State Employment Service is currently helping Minnesota canners to recruit 14,000 workers in various parts of the state before determining how many migrants will need to be brought in this summer. An attempt is being made to employ more Indians from the Bemidji and other areas. As more Indians are employed, relief loads should decrease.

An Employment on Merit act would require that any employer who regularly employs 8 or more individuals, should not practice discrimination in employing domestic labor. It would not interfere with foreign labor contracts, and it has nothing to do with housing of migrants.

Why exempt employers who employ fewer than 8 individuals?

If (1) the legislators of this state would pass in good faith an enforceable employment on merit law which would apply to all employers or to employers of 2 or more individuals, as does the Minneapolis Ordinance, and (2) if the state could afford to provide a commission with sufficient staff to do the necessary administrative and educational job for that number of employers and (3) if this commission and staff could be adequately financed, we should be glad to see this exemption struck out. Limiting the application of the law to employers of 8 or more serves to open up the greatest number of jobs with the most economical use of the manpower of the commission and its staff.

Would the quota system amendment proposed by Representative Ernst be workable or desirable?

We see three serious objections to such an arrangement:

(1) Since the purpose of the Employment on Merit Bill is to remove consideration of race, religion, and national origin as factors in selecting applicants for jobs, and to base the selection on the qualifications of the individual

and since the Ernst amendment proposes to make race, religion, and national origin major factors in the selection of workers

the Ernst amendment would be directly contrary to the principle of employment on merit which the bill is intended to establish.

(2) The proposal would be impossible to administer and would call for the expenditure of large amounts of the state's funds on misdirected research.

(3) It is contrary to the basic philosophy and the successful operation of the American individual enterprise system to set up quotas and stratifications which would interfere with the freedom which should be accorded to all individuals to compete with other individuals in the use of their abilities and services.

According to the National Association of Manufacturers report previously referred to (Page 8) it has been this freedom of the individual to select the type of work which appeals to him which has constantly brought new persons into those levels of work requiring specialized skill and has preserved our economic system from dry rot.

Actually, such an amendment as Mr. Ernst has proposed is not necessary because the fact that an employer is already employing members of minority groups at a comparable level of skill is always taken into consideration by Employment on Merit commissions as evidence tending to show that he does not discriminate.

Are proponents of this legislation people who would not be affected by it? Who are the proponents?

84% of the citizens of Minnesota (Minnesota Poll)
Many leading employers
Thousands of minority group members whose livelihood, standard of living, health, and welfare depend on the right to employment suitable to their qualifications and abilities.
Some 65 civic groups which recognize the importance of implementing American democratic principles.

****

The National Association of Manufacturers report (Page 14) states: "We (Americans) have been a people dedicated to the theory of equal opportunity. It has been our conviction that everyone should receive an education at public expense; that he should be free to enter the occupation of his choosing; and that no one should have the right to deny to another the freedom of selecting his own occupation.

****

We call to your attention that the LEAGUE OF WOMEN VOTERS OF MINNESOTA is prepared to back up any statement which it has made by reliable evidence. We have quoted exact references and authorities and have brought you up-to-date statements directly from employers and others in states and cities, including Minneapolis, where fair employment laws have actually been in effect.

League of Women Voters of Minnesota
84 South Tenth Street, Room 406
Minneapolis 3, Minnesota

February 16, 1953

STATEMENTS FROM CANNING COMPANIES IN STATES WITH FAIR EMPLOYMENT LAWS

In hearings before committees of the Minnesota Legislature on proposed fair employment bills during previous sessions, the question has been raised as to whether a law eliminating discrimination in employment because of race, creed, color, or national origin would work a hardship on the canning industries of the state. In 1947 or 1949 it was not surprising that such a question might cause concern. In 1953, however, we have a fund of experience in 7 states with enforceable laws similar to HF 518, SF 431 upon which to draw for information. In order to make this experience available to Minnesotans, the Civil Rights Committee of the League of Women Voters of Minnesota wrote to the state commissions or agencies which administer the fair employment laws of Massachussets, Connecticut, New York, Oregon, Rhode Island, Washington, New Jersey, Philadelphia, and Cleveland, as follows:

...."we are writing you for copies of statements from responsible officials in the canning industry in your state, in regard to their experience with your FEPC law.

"We are supporting the proposed bill to establish a Commission for Employment on Merit in this state. Some of the most serious opposition has come from representatives of the canning industry. We would like to know if their fears are justified. Therefore, we should like an objective statement from firms with actual experience in operating under FEPC law.....If you do not have copies of statements, we would appreciate receiving the names of canning companies which we might contact for a statement."

To a number of canning company executives in these states we wrote as follows:

"The League of Women Voters of the State of Minnesota has for several years supported a proposed bill in the Minnesota Legislature setting up a Fair Employment Practices Commission.

"A new session of the legislature has convened this month and in the interest of intelligent voting we would like to solicit your cooperation. Since there has been a Fair Employment Practice Ordinance in your state for some time, we would be interested in obtaining any information that you might care to divulge with reference to the working of the law in your plant."

To 20 letters, written between the 6th and the 16th of January, 1953, we have, to date, received 15 replies, which may be summarized as follows:

New Jersey (FEPC law passed in 1945)

From Joseph L. Bustard Asst. Commissioner of Education New Jersey:

"we have had very pleasant relationships with a number of large companies in this state engaged in the canning industries."

Dated January 13, 1953

From J.A. Rockwell, Manager of Personnel, H. J. Heinz Company-Makers of the 57 Varieties, Salem, N.J.

"The City of Salem, (pop. 9500), is located in the southern part of New Jersey and has a large colored population, but very few foreign or religious minority groups. Our plant here is a branch factory, operating as a manufacturing unit almost solely during the tomato season from July to October. We employ many colored workers regularly and recruit many Southern Negroes and Puerto Ricans during the tomato season.

"We have had no actual contact with the Law Against Discrimination and have no reason to believe the law has not been administered properly. It has not interfered with our prerogatives to date and we have had no matters of discipline or grievance resulting from it. Personally, we feel that the situation concerning the functioning of the law is about the same in similar industries of this areas."

Dated January 26, 1953

From Francis C. Stokes, President Francis C. Stokes Co., Vincentown, New Jersey:

"I am very pleased to know that The League of Women Voters of Minnesota is supporting a proposed bill on FEPC. A similar law has worked very well in New Jersey. It covers all minorities, for it is based on the theory that we are all God's children.

"We accept applications from anyone here. Because of the very large preponderance of whites in the community we do not have many Negroes in our employ, perhaps about a dozen all together. They are respected, they work side by side with the whites, and they share the same accomodations in our restaurant, and restrooms.

"May I wish you full success in your effort to pass a similar law in Minnesota. You probably have fewer Negroes in Minnesota than we have here in New Jersey. It is just as important, however, for Minnesota to have an FEPC law as for us to have it, or for any other state.

"I might add that Mrs. Stokes spent many years of her life working for the League of Women Voters."

Date January 20, 1953

From Earl L. McCormick, Director of Employment Relations, R. P. Ritter Company, Bridgeton, N. J.

"New Jersey has had a Fair Employment Practice law for quite some time but so far as our particular plant has been concerned it has had little or no effect one way or another.

"Racial and religious discrimination in New Jersey is almost a thing of the past so far as employment is concerned. We may have a few areas remaining where discrimination is in evidence but they are few and far between."

Date January 23, 1953

State of Washington (FEPC law passed in 1949)

From Glen E. Mansfield, Executive Secretary, Washington State Board Against Discrimination in Employment writes:

"I have purposely delayed replying to your letter of January 6, 1953 pending the receipt of the enclosed letters from a canning firm.

"I regret that I could not obtain more letters from several representatives of the local canning industry, all of whom endorse our law verbally, but who have been cautioned by someone not to oppose the canning interests in your state by such endorsements."

Dated February 4, 1953

From J.G. Blasingame, Secretary Washington Fish and Oyster Co., Inc. Seattle, Washington

"Concerning the provisions of the Washington State F.E.P.C. enacted in 1949, I can say in all honesty that the enforcement of this law has interfered in no way with the operation of our business."

Dated January 12, 1953

Oregon (FEPC law passed in 1947)

From William S. Van Meter, Deputy Commissioner of Labor Fair Employment Practices Division, Bureau of Labor, Oregon:

"I have asked Mr. Ernie Garbarino, personnel manager of Paulus Bros. Packing Company....and Mr. E.S. Benjamin, secretary, AFL Cannery Worker's Union, Local 670... to write you concerning their experiences with the employment of members of minority groups in the canning industry. Both of these men state that persons of all colors and nationalities have been employed in the Salem canneries without incident...

"My experience in the administration of the FEPC Act in Oregon does not indicate that there is any discrimination in employment in the canning industry. We have received excellent cooperation from both management and labor in the canning industry."

Dated February 4, 1953

from Mr. Benjamin:

"Our Union represents over 5000 cannery employees in this area covering most of the plants in the mid-Willamette Valley. We have operated under our FEPC law since its inception and have yet to have our first problem under the Act.

"Our Employers accepted the Act with some misgivings, but since it was written in practical form and administered by a fair-minded State Department, they no longer question the purposes for which the law was written."

New York Dated January 30, 1953

"I believe there has only been one complaint filed against a canning firm in the seven and one-half years of our existence and that was with regard to a manager of a camp."

From John R. Fox, Executive Director State Commission Against Discrimination, State of New York Date January 13, 1953.)

Massachussetts:

"We have had no cases against canning companies."

Date January 15, 1953

Rhode Island :

"I should like very much to be of assistance to you in your research study; but as there is no canning industry of any importance in this state, I'm afraid that on this particular issue I can serve no value."

Date January 9, 1953

Connecticut:

"Connecticut does not have canning industries. There are only two small canneries in the state which operate on a seasonal basis."

Dated January 8, 1953

As yet we have received no unfavorable reply.

COPY OF A LETTER JUST RECEIVED FROM A MASSACHUSETTS EMPLOYER BY THE CIVIL RIGHTS COMMITTEE OF THE LEAGUE OF WOMEN VOTERS OF MINNESOTA

Established 1831
S. S. PIERCE CO.
Boston 17

Cable Address
Zoedone

March 5, 1953

Mrs. Philip B. Lush
Civil Rights Committee
Route 1
Mound, Minnesota

Dear Mrs. Lush:

In reply to your letter of Feb. 18 we are pleased to make the following comments concerning the working of the Massachusetts Fair Employment Practices Act with respect to your organization.

I am reminded of a recent incident which reflects our attitude on this subject. An agency concerned with the matter inquired as to how many colored people we employ within our work force of approximately 1500. Although we do have a substantial number, we were unable to answer the question - we don't keep any records based on this classification.

Management either knows or is fast learning that effective results stem from proper attitudes, and we get results by employing and utilizing individuals on the basis of qualification and fitness to perform specific jobs.

Legislation on a subject of this nature establishes basic objectives and ground rules. Intelligent administration, education, and cooperation are the tools that do the job. The law doesn't do it - people do it. For example we maintain a very effective working relationship with representatives of the Urban League, not because we have to but because we want to. In thus working out our mutual interests the legislative aspects of the problem are not a consideration.

As a matter of fact, we are far less conscious of this legislation than most which affects our business, and I can frankly state that our employment and placement program would not be changed in the slightest were the F.E.P. act repealed tomorrow. We have little or not contact with those charged with administering the act.

These comments are not intended to minimize the problem, which we of course know is a very real one in many respects. However, much progress has been made and will continue to be made through intelligent efforts such as your organization is making in seeking action based on facts and experience.

Very truly yours,

J. D. Fox
Personnel Manager

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This is one of the 16 letters received by the League of Women Voters of Minnisota, 84 South Tenth St., Minneapolis 3, Minnesota, since January 8, 1953, from commissions and employers in 7 states with enforceable Employment on Merit Laws.
Check marks added by League of Women Voters of Minnesota.

A BILL FOR THE MINNESOTA FAIR EMPLOYMENT PRACTICES ACT

Correction Sheet

This bill was introduced into the Minnesota State Senate and House of Representatives on Tuesday, January 16, 1951. In preparing copies of the bill for distribution at the meeting of the Minnesota Council for Fair Employment Practice on Wednesday evening, Janu ary 17th, some slight changes made by the authors were not included.

The following changes in the attached copy will make it identical with the bill as introduced.

Page 2, Section 4, Clause (1) (a) should read: "by his parent, grandparent, spouse, child, or grandchild, or"

Page 2, Section 4, Clause (2) should read: "a person who regularly employs fewer than eight individuals, excluding individuals described in clause (1); or"

Page 3, Clause (2) (c). Omit the words "or other matters related to employment".

Page 3, Clause (7). Add the words "investigating agency ".

Page 4, Paragraph (a) at top of page. Insert the following words between "or" and"national origin": "except when required by the United States, this state or a political subdivision or agency of the United States or this state, for the purpose of national security,"

Page 5, Clause (8) should read: "conduct research and study discriminatory employment and labor practices based on race, color, religion or national origin;"

Page 5, Clause (9) should read: "publish the results of research and study of discriminatory employment and labor practices based on race, color, religion, or national origin when in the judgement of the commission it will tend to eliminate such discrimination;"

Page 5, Clause (10) should read: "develop and recommend programs of formal and informal education designed to promote goodwill and eliminate discriminatory employment and labor practices based on race, color, religion, or national origin;"

Page 7, Subdivision 4, Clause (2) should end with the words: "a review board".

Page 9, Subdivision 7, Clause (1). Omit the words "and serve" after "shall issue" in line 3.

Page 11, Subdivision 7, Clause (1), Paragraphs (a) and (b). Omit the words "of fact" in each of these paragraphs.

Page 12. The paragraph at the top of the page should end "section 9, subdivision 8, of this act."

Q. Wilson
1953

A BILL

FOR AN ACT RELATING TO EMPLOYMENT ON MERIT AND WITHOUT DISCRIMINATION BASED UPON RACE, COLOR, RELIGION, OR NATIONAL ORIGIN AND ESTABLISHING METHODS AND PROCEDURES FOR THE PURPOSE OF ELIMINATING DISCRIMINATORY PRACTICES AND PROVIDING AN APPROPRIATION TO CARRY OUT THE PURPOSES OF THIS ACT.

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

Section 1. As a guide to the interpretation and application of this act, the public policy of this state is to foster the employment of all individuals in this state in accordance with their fullest capacities, regardless of their race, color, religion, or national origin, and to safeguard their rights to obtain and hold employment without discrimination. Such discrimination threatens the rights and privileges of the inhabitants of this state and menaces the institutions and foundations of democracy. It is also the public policy of this state to protect employers, labor organizations, and employment agencies from wholly unfounded charges of discrimination. This act is an exercise of the police power of this state in the interest of the public welfare.

Sec. 2. This act may be cited as the Minnesota Employment on Merit Act.

Sec. 3.

Subd. 1. For the purposes of this act, unless the context otherwise requires, the terms defined in this section have the meanings ascribed to them.

Subd. 2. "Board" means the review board appointed under section 8, subdivision 4.

Subd. 3. "Commission" means the state commission for employment on merit created by section 6.

Subd. 4. "Employment agency" means a person who regularly undertakes, with or without compensation, to procure employees or opportunities for employment.

Subd. 5. "Labor organization" means any organization that exists wholly or partly for one or more of the following purposes:

(a) collective bargaining;

(b) dealing with employers concerning grievances, terms, or conditions of employment; or

(c) mutual aid or protection of employees.

Subd. 6. "National origin" means the place where an individual or any of his ancestors was born or has resided.

Subd. 7. "Person" includes partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, receiver, and the state and its departments, agencies, and political subdivisions.

Subd. 8. "Respondent" means a person against whom a complaint has been filed or issued under section 8.

Subd. 9. "Unfair employment practice" means any act described in section 5.

Sec. 4.

Subd. 1. This act does not apply to:

(1) the employment of any individual

(a) by his parent, grandparent, spouse, child, or grandchild, or

(b) in the domestic service of any person;

(2) a person who regularly employs fewer than eight individuals, excluding individuals described in clause (1); or

(3) with respect to discrimination based on religion, a religious or fraternal corporation, association, or society.

Subd. 2. The privilege of an employer to discontinue the employment of an employee during a trial or probational period, not to exceed sixty days, established by a collective bargaining agreement or a custom applicable to all employees of the employer, is not subject to regulation or review by the commission.

Subd. 3. This act applies uniformly throughout this state, in all of its political subdivisions and municipalities; and a political subdivision or municipality shall not enact an ordinance or adopt a regulation inconsistent with the provisions of this act.

Sec. 5. Except when based on a bona fide occupational qualification, it is an unfair employment practice:

(1) when a labor organization, because of race, color, religion, or national origin,

(a) denies full and equal membership rights to an applicant for membership or member,

(b) expels a member from membership,

(c) discriminates against an applicant for membership or member with respect to his hire, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment, or

(d) neglects to classify properly or refer for employment or otherwise discriminates against a member;

(2) when an employer, because of race, color, religion, or national origin,

(a) refuses to hire an applicant for employment, or

(b) discharges an employee, or

(c) discriminates against an employee with respect to his hire, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment;

(3) when an employment agency, because of race, color, religion, or national origin,

(a) fails or refuses to accept, register, classify properly, or refer for employment or otherwise discriminates against an individual, or

(b) complies with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer does not comply with this act;

(4) when an employer, labor organization, or employment agency discharges, expels, or otherwise discriminates against a person because that person has opposed any practice forbidden under this act or has filed a complaint, testified, or assisted in any proceeding under this act;

(5) when a person intentionally aids, abets, incites, compels, or coerces another person to engage in any of the practices forbidden by this act;

(6) when a person intentionally attempts to aid, abet, incite, compel or coerce another person to engage in any of the practices forbidden by this act;

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

(a) causes to be printed or published a note of advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, religion, or national origin, or

(b) follows a policy of denying or limiting the employment or membership opportunities of individuals because of race, color, religion, or national origin.

Sec. 6.

Subd. 1.

(1) There is created a State Commission for Employment on Merit of nine members. At least one member shall be a lawyer licensed to practice law in this state.

(2) Subject to clauses (3) and (4) the term of office of each member of the commission is five years.

(3) The terms of the members first appointed are: one appointed for one year, two for two years, two for three years, two for four years, and two for five years.

(4) A member is eligible for reappointment.

Subd. 2. The governor shall:

(1) appoint, with the advice and consent of the senate, the members of the commission;

(2) select and designate a member of the commission as its chairman; and

(3) fill a vacancy occurring otherwise than by expiration of term by appointing an individual to serve for the unexpired term of the member whom he is to succeed.

Subd. 3. The governor may remove a member of the commission for inefficiency, neglect of duty, misconduct, or malfeasance in office after the member has been given written notice of the charges against him and has had an opportunity to be heard.

Subd. 4.

(1) A vacancy in the commission does not impair the right of the remaining members to exercise all powers of the commission.

(2) Each member of the commission shall receive reimbursement for necessary traveling expenses incurred on official business for the commission. Reimbursement shall be made in the manner provided by law for state employees.

Sec. 7.

Subd. 1. The commission shall:

(1) establish and maintain a principal office in St. Paul and any other necessary offices within the state;

(2) meet and function at any place within the state;

(3) appoint an executive director to serve at the will of the commission as an unclassified employee under Minnesota Statutes, Section 43.09, Subdivision 2, fix his compensation and prescribe his duties;

(4) to the extent permitted by Federal law and regulation utilize the records of the Division of Employment and Security of the state when necessary to effectuate the purposes of this act;

(5) adopt suitable rules and regulations for effectuating the purposes of this act;

(6) issue, receive, and investigate complaints alleging discrimination in employment because of race, color, religion, or national origin;

(7) attempt to eliminate unfair employment practices by means of education, conference, conciliation, and persuasion;

(8) conduct research and study discriminatory employment and labor practices based on race, color, religion, or national origin;

(9) publish the results of research and study of discriminatory employment and labor practices based on race, color, religion, or national origin when in the judgment of the commission it will tend to eliminate such discrimination;

(10) develop and recommend programs of formal and informal education designed to promote goodwill and eliminate discriminatory employment and labor practices based on race, color, religion, or national origin;

(11) make a written report of the activities of the commission to the governor each year and to the legislature at each session.

Subd. 2. To the extent determined by the commission and subject to its direction and control, the executive director may exercise the powers and perform the duties of the commission.

Sec. 8.

Subd. 1.

(1) Subject to clause (4), a person authorized by clause (2) may, by himself or his agent or attorney, file with the commission a verified complaint in writing stating the name and address of the person alleged to have committed an unfair employment practice and setting out the details of the practice complained of and any other information required by the commission.

(2) A complaint may be filed by:

(a) an aggrieved individual;

(b) an employer whose employees, or some of them, refuse or threaten to refuse to cooperate in complying with the provisions of the act.

(3) Subject to clause (4), whenever the commission has reason to believe that a person is engaging in an unfair employment practice, the commission may issue a complaint.

(4) A complaint of an unfair employment practice must be filed within six months after the occurrence of the practice.

Subd. 2.

(1) When a complaint has been filed or issued, the commission shall promptly inquire into the truth of the allegations of the complaint.

(2) If after the inquiry required by clause (1), the commission determines that there is probable cause for believing that an unfair employment practice exists, the commission shall immediately endeavor to eliminate the unfair employment practice through education, conference, conciliation, and persuasion, but if the commission determines that there is no probable cause for believing that an unfair employment practice exists, the commission shall dismiss the complaint.

(3) Whenever practicable the commission, in complying with clause (2), shall endeavor to eliminate the unfair employment practice at the place where (a) the practice occurred or (b) the respondent resides or has his principal place of business.

Subd. 3.

(1) The commission may publish an account of a case in which the complaint has been dismissed or the terms of settlement of a case that has been voluntarily adjusted but the identity of a complainant or respondent shall not be disclosed without his consent.

(2) Except as provided in clause (1) the commission shall not disclose any information concerning its efforts in a particular case to eliminate an unfair employment practice through education, conference, conciliation, and persuasion.

Subd. 4.

(1) On failing to eliminate an unfair employment practice in the manner prescribed by subdivision 2, clause (2), the commission shall notify the governor in writing of that fact and request him to appoint a review board to conduct a hearing in the case.

(2) Upon receipt of the notice and request prescribed by clause (1), the governor shall promptly appoint a review board consisting of three members, one of whom shall be a lawyer licensed to practice law in this state. The governor shall not appoint a member of the commission as a member of the review board.

(3) A vacancy on the board does not impair the right of the remaining members to exercise all powers of the board.

(4) Each member of the board shall receive $20 per day in lieu of subsistence while the board is in session and reimbursement for necessary traveling expenses incurred on official business for the board.

Subd. 5. The board shall:

(1) conduct the hearing at a place designated by it within the county where

(a) the unfair employment practice occurred, or

(b) the respondent resides or has his principal place of business;

(2) subpoena witnesses pursuant to Minnesota Statutes, Chapter 596, administer oaths, and take testimony of any individual under oath relating to the case being heard by the board;

(3) adopt rules of practice to govern the hearing before the board;

(4) employ necessary stenographers and clerks, who need not be classified employees under Minnesota Statutes, section 43.09, subdivision 4, fix their compensation, and prescribe their duties.

Subd. 6.

(1) The review board promptly after its appointment shall notify the commission of the time and place of the hearing to be conducted by the board.

(2) Within ten days after receipt of the notice specified in clause (1), the commission shall issue and serve by registered mail upon the respondent a copy of the complaint and a written notice requiring the respondent to answer the allegations of the complaint at the hearing. The notice shall state the time and place of the hearing.

(3) Within fifteen days after receipt of the copy of the complaint and the notice specified in clause (2), the respondent shall serve upon the commission by registered mail a verified answer to the complaint.

(4) The commission shall submit evidence and present before the board the case in support of the complaint. The complainant shall appear in person at the hearing and is subject to cross-examination by the

respondent. The respondent may appear at the hearing, submit evidence, and present his case.

(5) The board shall apply the rules of evidence that prevail in courts of law. The board shall not receive in evidence any evidence pertaining to the efforts of the commission to eliminate the unfair employment practice through education, conference, conciliation, or persuasion. Each witness at the hearing shall testify under oath. All testimony and other evidence submitted at the hearing shall be transcribed. The board at the request of the complainant or respondent shall provide a copy of the transcript of the hearing without charge.

Subd. 7.

(1) If upon all of the evidence taken at the hearing the board finds the respondent has engaged in an unfair employment practice, the board shall make findings and shall issue an order directing the respondent to cease and desist from the unfair employment practice found to exist and to take such action as in the judgment of the board will effectuate the purposes of this act and shall serve the order on

(a) the respondent personally, and

(b) the commission and the complainant by registered mail.

(2) If upon all of the evidence taken at the hearing the board finds that the respondent has not engaged in an unfair employment practice alleged in the complaint, the board shall make findings of fact and conclusions of law and shall issue and serve an order dismissing the complaint on

(a) the complainant personally, and

(b) the commission and the respondent by registered mail.

Sec. 9.

Subd. 1. Subject to subdivisions 2 and 3, the commission or the respondent may institute in the manner prescribed by subdivision 4 a

proceeding in the district court for judicial review or judicial review and enforcement of an order of the board.

Subd. 2. Except for a proceeding by the commission to enforce an order of the board, a proceeding in the district court shall be instituted within thirty days after service of an order of the board as prescribed by section 8, subdivision 7.

Subd. 3. A proceeding under this section shall be instituted in the district court for the judicial district in which

(1) an unfair employment practice covered by the order of the board occurred, or

(2) the respondent resides or has his principal place of business.

Subd. 4. A proceeding under this section is instituted by:

(1) filing with the clerk of the district court

(a) a petition stating the relief requested and the grounds relied on for that relief;

(b) a transcript of the hearing held before the board, and

(c) a copy of the findings of fact, conclusions of law, and order of the board, and

(2) serving a notice of motion returnable at a special term of the court on

(a) the complainant,

(b) the respondent, and

(c) the commission.

Subd. 5. When a proceeding has been instituted under this section, the district court has exclusive jurisdiction of the proceeding and shall hear and determine the proceeding as expeditiously as practicable.

Subd. 6. The commission, complainant, respondent, and any person aggrieved by an order of the board may appear in the proceeding and be

heard in argument by the district court.

Subd. 7. In a proceeding under this section, the district court:

(1) shall, subject to clauses (2) and (3), limit its review to determination of whether

(a) the findings of the board are supported by sufficient evidence considering as a whole the transcript of the hearing held before the board, and

(b) the findings of the board support the order of the board;

(2) shall consider only an objection that was urged before the board unless the failure or neglect to urge the objection is excused because of extraordinary circumstances;

(3) may, in its discretion,

(a) remand the proceeding to the board for further hearing,

(b) take additional evidence on any issue, or

(c) order a trial de novo to the court.

Subd. 8. Subject to subdivision 7, the district court may:

(1) grant temporary relief by restraining order or otherwise,

(2) order the respondent to comply with the order of the board,

(3) grant relief appropriate to the findings of the board or the court, or

(4) set aside the order of the board and dismiss the proceedings against the respondent.

Sec. 10. The commission, or respondent, may appeal to the supreme court as provided by Minnesota Statutes, Section 605.09, clauses(2) and (7) from an order of the district court issued pursuant to section 9, subdivision 8, of this act.

Sec. 11. There is 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: $10,000 to be immediately available, $30,000 for the fiscal year ending June 30, 1954, and $40,000 for the fiscal year ending June 30, 1955.

(Note: This is the bill approved by the Minnesota Council for Employment on Merit at its meeting of December 10, 1952, pursuant to the recommendations of the executive board. The board's recommendations were made after consultation with Representative P. Kenneth Peterson and Senator Gerald T. Mullin. They will be joined by other members of the State Legislature in introducing the bill in January, 1953.)

Make Copy for Mrs Gruner Dear File.

ADL ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

212 FIFTH AVENUE • NEW YORK 10, N. Y. • MUrray Hill 6-8010

October 8, 1953.

Mrs. John W. Gruner,
527 S.E. 7th Street
Minneapolis, Minn.

Dear Mrs. Gruner:

Monroe Schlactus, Director of our Minnesota-Dakotas Regional Office, has forwarded to me the 1953 legislative report of the League of Women Voters in Minnesota, telling me that it was, in his opinion, an excellent report and would give us all the information that we could possibly want on what happened in Minnesota during the fight for the Employment on Merit bill. I read the entire report with great interest. I found the portion dealing with the Employment on Merit bill fascinating, especially the diary giving day-to-day developments on that fight. What it demonstrates to me is that sooner or later, with this kind of loving energy and drive, democracy will triumph in Minnesota and discrimination in employment will be outlawed throughout the state.

We shall retain the report in our files and you may be sure that the experience contained in it will be made available to other groups fighting for legislation against discrimination in employment throughout the country.

In closing, may I commend you once again on a marvelous job well done in Minnesota, ewen though that job has as yet not achieved final success.

Sincerely yours,

Sol Rabkin

Sol Rabkin

SR:mwr

cc: Monroe Schlactus