

Unions and Employers Seen Facing Civil Rights Problems

Staff Special to The News

FORT WORTH, Texas — Civil Rights Act's Fair Employment provisions which took effect Friday raise thorny problems for unions as well as employers, according to Asst. U.S. Atty. Gen. John Doar.

The civil rights enforcement officer drew heavy questioning from lawyers attending the State Bar of Texas' labor law meeting.

"Unions are going to have to open up, so all people have an opportunity to get jobs," said Doar.

He asserted that the law's intent is to eliminate "the caste system" in America. Doar told a Ne-

gro questioner he hoped this can be done without any affirmative effort by the government to legislate racial quotas in employment and other areas.

While the Civil Rights Act forbids discrimination based on race, sex, religion or national origin, it specifies that no quotas shall be required. Doar added that where an employer has 400 whites and no Negro workers, it be "powerful evidence" of discrimination.

THE LAW, enforceable through the federal government, took effect Friday covering groups of more than 100 employees. It will extend gradually to groups as small as 25 in four years.

Doar said lack of racial records will handicap efforts to determine discrimination. The federal government in recent years has discouraged the keeping of records regarding race, alleging the practice fosters discrimination. But Doar said evidence of how many Negroes and other racial minorities work in a plant can be determined by a visual check.

The official suggested that employers immediately "audit" their situation regarding discrimination, and take corrective measures where necessary. He said this includes the recruiting of minority group applicants to work where evidence of discrimination exists.

Doar said there is no requirement to hire on racial quotas but that minority applications should be sought. Where an employer gets workers through union hiring halls, he said, the union should be "talked to" about furnishing Negroes and other minority group workers.

AN EMPLOYER who affirmatively "discriminates in favor of minority groups," Doar told another questioner, would violate the law.

The act permits "bonafide occupational qualifications" which could allow discrimination based on sex, but not on race, Doar said. It also allows ability tests to screen job applicants.

Doar noted some concern over "a new bureaucracy" being created by the federal government to enforce civil rights. He said the Department of Justice has about 100 "tremendous, young, aggressive lawyers, who work 18 hours a day" to enforce civil rights. The equal Employment Opportunity Commission, which will enforce this section of the law, backed by the Justice Department, will soon establish offices around the nation, he said.

DALLAS ATTORNEYS elected as State Bar officers include Louise B. Raggio, chairman, and Edwin A. Nesbitt, secretary, family law section; Alan R. Bromberg, vice-chairman, corporation, banking and business law; Phil Wilson, director, military law; Charles F. Steininger, chairman - elect, Samuel M. Mims and Frederick Doumoulin, executive committee, patent, trademark and copyright law; Vester T. Hughes, chairman-elect, and Gene Emery, council member, taxation;

David R. Richards, Lennart V. Larsen, secretary, Fred O. Weldon, Allen Schoolfield, council members, labor law; Clinton Foshee, council member, real estate.

Scott Baldwin of Marshall was elected president of the Texas Trial Lawyers' Association, formerly called Texas Association of Plaintiffs Attorneys.