EEOC chief tells agency importance

By Lowell W. Perry
Opportunity Commission

WASHINGTON — When the U.S. Congress enacted the Civil Rights Act of 1964, it included the establishment of the Equal Employment Opportunity Commission (EEOC) to prohibit employment discrimination based on race, color, religion, sex or national origin.

That provision, imbedded in Title VII of the historic legislation, was intended to provide job equality in bad times as well as good times.

The national will to support Title VII has been severely tested in recent months as the nation has undergone an economic recession.

Minorities, females and others protected by Title VII appear to have borne the brunt of the economic decline in terms of employment opportunity.

The unemployment rate for blacks and other races for September 1975 was 13.8 per cent, while the national rate was 8.4 per cent.

Admittedly, these are difficult times for all Americans, but they are particularly difficult for minorities and female workers.

Those who have traditionally carried a disproportionate share of the burden of unemployment and underemployment are carrying that same burden in today's recession-stunned economy.

The framers of Title VII had a vision — that all Americans, regardless of their race, color, religion, sex or national origin, would enjoy fair and equal treatment in the job market.

That vision must be realized if equal employment opportunity laws are to have any real meaning. If we are to be, as our Constitution dictates, a nation of equals, then we must redouble our efforts toward fair employment and pledge to preserve the civil rights gains of the past even as we break new ground toward progress in the future.

We must establish once and for all that equal opportunity in employment will not be the sacrificial lamb of the nation's economic problems. The mission of the EEOC is to see to it that Title VII works all the time.

Present circumstances dictate the development of policies which assure the delicate balance between the rights of those traditionally in the mainstream of the American workforce and those who have been prevented, until recently, from achieving their occupational goals because of past practices of discrimination.

Important civil rights gains must not be wiped out in a moment of crisis.

The commission intends to assure job opportunity by enforcing its authority. Already, we have begun to emphasize our conciliation process in an effort to persuade employers to provide an equal opportunity to all workers.

We will attempt to conciliate when conciliation proves to be successful, but we will use the powers of the federal district courts, when conciliation and persuasion fail.

The importance of the commission's litigation activities should not be underestimated. Litigation has lead to epoch-making changes in the nation's employment patterns. We fully expect that this trend will continue.

The case of Griggs v. Duke Power Co., for example, established procedures for selecting employees on a nondiscriminatory basis. The Griggs decision made it clear that any selection procedure which has a disparate effect on women or minorities is against the law.

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Other important decisions have outlined what constitutes sex discrimination, the legal necessity for backpay awards, and the procedures for class action suits.

All of these decisions have established important legal precedents in the field of fair employment.

Because litigation is often costly in terms of time and money, the commission prefers to try the conciliation route as a first step in the fight against job bias. Thus, achieving successful conciliation agreements is one of the major thrusts of the EEOC.

The reason for that is simple. We can sue everybody, but we can certainly conciliate with a great number of the nation's employers.

Last year alone, the commission had nearly 7,000 successful conciliations providing some $111 million in benefits to approximately 52,000 employees.

Considering the scope of job discrimination, that may be just a "drop in the bucket." We have a long way to go in our attempts to eliminate job discrimination and com-

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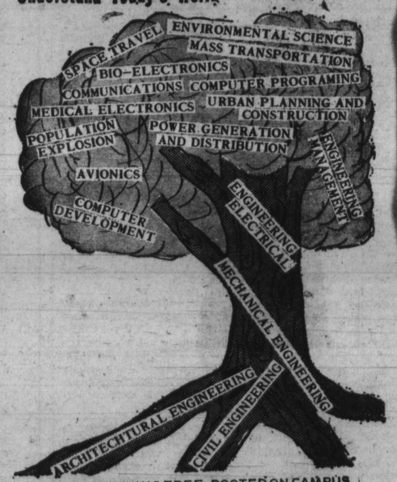

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