

Equal Employment Opportunity

Justice and reality demand that we guarantee equal employment opportunity for minority group workers. Realization of this goal has long eluded the American people.

Because of this gap between dream and reality, the Nixon Administration has assigned top priority to achieving equal opportunity in the workplace.

Nobody put the problem of inequality into clearer perspective than President Nixon when he said:

"There can be no social justice until there is economic justice, and equal employment opportunity is the key to economic justice in America."

In building construction, these issues have grown acute: the moral challenge to do what is right, and the economic challenge to meet the demand for craftsmen now and in the future.

OFCC IS RESPONSIBLE

To increase the supply of skilled minority workers, the Federal government has taken several significant steps. The Secretary of Labor is charged, by Executive Order 11246, with administering the Government's policy of insuring equal opportunity in Federal and Federally-assisted contract work. To carry out the Department's responsibility, the Office of Federal Contract Compliance (OFCC) was established.

In the construction industry, the "Philadelphia Plan" represents a major innovation for increasing minority employment. The Plan requires bidders on all Federal and Federally-assisted construction projects over \$500,000 to submit affirmative action programs to achieve goals for the employment of minority employees on these projects.

The Plan went into effect in September 1969, in the Philadelphia area. Six high-paying construction trades were affected. Previously each of these trades had less than 2 percent minority representation in an area with substantial minority population.

Under the Plan, the Government studies the area labor market and sets the range of minority utilization that must be sought in each of the six crafts on a given project. The contractor is required to establish his goal of minority utilization at least within this range.

When a contractor meets his goals, he is presumed to be in compliance. What is required of the contractor is good-faith effort. If he fails to meet his minority hiring goal, he is still not automatically viewed as in noncompliance — provided he has made the good-faith effort. There are no quotas here. Quotas

are exclusionary. What we seek is an inclusionary objective. The employer is required to act in good faith to reach the objective.

Because discrimination in the construction industry is a national problem, the Labor Department in February of this year launched a national program for achieving equal employment opportunity in Federally-funded construction work in 18 major cities. Six are "priority" cities: Boston, Detroit, Atlanta, Los Angeles, Seattle and Newark. The others are Buffalo, Cincinnati, Denver, Houston, Indianapolis, Kansas City, Miami, Milwaukee, New Orleans, New York, San Francisco and St. Louis.

In this national program, the "hometown" area-wide solution is encouraged by the Department. By the hometown approach, we mean the resolution of minority employment problems at the community level, through agreements worked out by local leaders: contractors, union officials, minority group spokesmen and municipal officials. By "area-wide" we mean that the hometown solution covers the entire metropolitan area, including private construction as well as Federally-funded work.

THE STICK IS READY

If local areas do not come up with their own solutions, the Federal Government will take those steps necessary to ensure that equal employment opportunity is realized. This may involve installation of minority-hiring programs based on the Philadelphia Plan.

We want to be fair. The penalty of contract rejection is a strong one, but we shall not fear to use it where the situation warrants it.

To broaden the scope of efforts for achieving fairness in the workplace, the Labor Department this past February issued regulations pinpointing affirmative action requirements for Federal contractors outside the construction industry. These regulations, known as Order No. 4, require that, where evidence of discrimination exists and numbers or percentages for boosting minority hiring are relevant, the contractor must establish and follow specific goals and timetables.

So, clearly, the Administration has taken significant strides toward removing unjust bars to employment opportunity. These efforts to achieve justice in employment will continue in the months and years ahead.

George E. Schultz is Secretary of Labor.