[MS-0087.007.016.001]

Action Fare Has Minority, Bias Clauses

City councilmen yesterday amended the affirmative action program to include provisions against discrimination of women in city employment and a method of implementing the minority employment program.

Councilman Allen Hitch voted against both changes and was joined by Councilman Henry Landt in opposing additional references to sex discrimination in hiring and promotion practices within the city government.

Councilmen approved a selective certification amendment which allows the Civil Service Commission to select minority job seekers from eligibility lists if the department seeking an employe is found to be in racial imbalance.

Mayor Wilson explained that the selective certification process could only be used after a public hearing by the commission determined that the city department involved had not met standards for minority hiring.

The new selection method will allow implementation of the five-year city affirmative action plan to employ minorities in proportion to their percentage in thhe city's population.

The program was amended yesterday to include statements pledging elimination of sex discrimination, the goal of hiring women in all job categories in proportion to their availability in the labor market.

Women also were included in special recruitment programs and professional training programs.

City Delays Action On Minority Jobs

Action on a program to increase minority employes on the city payroll so they total about the same as the percentage of each minority in Sa Diego was postponed yesterday by the City Council.

The Affirmative Action Program, turned down by the City Council which was in office last fall, was revived on motion of City Councilman Leon Williams. He had the backing of other councilmen, including Mayor Wilson.

The delay yesterday was requested by the Associated General Contractors.

Councilman Bob Martinet suggested a month's continuance, so that minority employment program could be incorporated into one involving women.

The council then voted to continue action on the program for one week and directed City Mgr. Kimball Moore to prepare a preliminary report on the hiring of women for a council conference Feb. 22.

Before the council was a resolution adopting an Affirmative Action Program and directing Moore and Personnel Director A. A. Bigge to implement it. The program also would affect any contractors or vendors doing business with the city.

The council, in other action:

Directed Moore to request the Comprehensive Planning Organization for a refinement of proposed guidelines on "regional significance" embodied in CPO's "Policies and Recommendations for Determining Regional Significance and Prematurity of Development."

Moore reported that the criteria outlined by CPO was at some points too broad and at others too narrow to cover all developments which would fall in the regional category.

THE SAN DIEGO UNION

Senate Favors Ban On City, State Job Discrimination

WASHINGTON (UPI) — The Senate voted 59 to 16 yesterday against excluding 10.1 million state and local government employes from federal protection against job discrimination.

The vote killed an attempt by Sen. Sam J. Ervin Jr., D-N.C., to remove the state and local government workers from the proposed legislation.

Sen. Alan Cranston, D-Calif., voted against the Ervin amendment. Sen. John Tunney, D-Calif., was recorded as not voting.

Ervin charged the bill "is inconsistent with our federal system of government," but Sen. Harrison A. Williams Jr., D-N.J., argued that state and local governments still would be allowed to hire whomever they please "so long as they do it in a nondiscriminatory manner."

Current laws, administered by the Equal Employment Opportunity Commission, cover private employers and the federal government, but they do not cover employes of cities, counties and states.

POWERS BROADENED

The bill also would give the commission the power to use cease and desist orders to halt job discrimination practices in private business. In the case of state and local government workers, however, the EEOC would have to ask the Justice Department to bring suit in federal court.

Ervin and other southerners sought to have the court procedure used for enforcement against private business, but the Senate narrowly voted that down last week.

With those two losses behind them, southern senators resorted to the filibuster and a Senate vote is set for 9:30 a.m. PST today on a motion to cut off debate by invoking cloture.

This requires a two-thirds majority and because there was little likelihood of mustering this much support for cloture on the first go-around, a second cloture motion will come up for debate an hour after the Senate convenes tomorrow.

OTHER ACTION

The Senate also adopted by a 72-2 vote an amendment committing the government to help pay the legal defense costs of small businesses and unions wrongfully accused of job discrimination.

First proposed by Sen. David H. Gambrell, D-Ga., and liberalized by Sen. Walter F. Mondale, D-Minn., businesses or unions with fewer than 25 members found innocent of bias charges would have all their defense costs paid up to $5,000. Those with 25 to 100 workers or members would have half their defense costs paid, up to $2,500.

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TIM SHEPARD

Port Minority Plan Out of Steam

Efforts by several port commissioners to require tideland tenants to adopt affirmative action minority employment programs seems to have run out of steam.

After lengthy consideration by the seven-member Port Commission, it looks as though commission chairman Harvey Furgatch may be all by himself in this effort.

But, it doesn't mean that the commissioners who have come out against this proposal are bigoted or against efforts to improve the employment opportunities of minorities.

They proved this recently when they unanimously adopted an affirmative action program for the port district. This is a five-year plan to raise minority employment among the 225 district workers from a 14 per cent ratio to at least 21.6 per cent by 1976. It also calls for increased opportunity among minorities working at the district to achieve advancement.

What's bothering some of the commissioners and, apparently, just about all of the tideland tenants is the possibility that the district would be duplicating requirements already on the state and federal books.

What the port proposed was a lease amendment for tideland tenants which would require each of them to develop a five-year minority employment improvement program. The amendment even called for lease default for a tenant who agreed, then failed to achieve what the port judged to be reasonable efforts towards this.

Such an amendment could affect employers of 20,000 to 30,000 workers who have jobs in defense plants, shipyards and airlines with tideland leases.

During a public hearing, Port Director Don L. Nay summarized the feeling of tenants as follows:

"Most have indicated that they are not opposed to the idea, but they don't feel that it applies to them. Many of the larger tenants have already adopted such programs as a result of contracts with the federal government."

Mike Bryant, a representative of Standard Oil Co., said that his company felt it would be in "double jeopardy" and that it would be burdensome for both the companies and the port district.

Smaller firms and companies on the tidelands expressed concern over the amount of paper work which would be required and the problem of obtaining qualified minority workers in certain crafts.

What many of the tenants object to most, but failed to express publicly, is the idea of agreeing to give their landlord any more power than he already has.

Several federal agencies, such as the U.S. Customs Service and the Federal Aviation Agency, also have expressed opposition to the plan.

Commissioner Milton Fredman of San Diego, who earlier pressed for the affirmative action amendment, later offered an alternative. He suggested that the port prepare a statement of policy on affirmative action and then encourage tenants to increase minority employment on a voluntary basis.

Fredman said he was against any "summary" action on the part of the port which would declare leases in default if tenants appeared to be violating the terms of any affirmative action statement.

It appears that the port probably will end up with a "voluntary" rather than a "required" program for tenants.

The writer is Maritime Editor, The San Diego Union