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# ECONOMIC AND POLITICAL PROBLEMS OF INDIANS IN ROBESON COUNTY

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A report of the North Carolina Advisory Committee to the United States Commission on Civil Rights prepared for the information and consideration of the Commission. This report will be considered by the Commission, and the Commission will make public its reaction. In the meantime, the findings and recommendations of this report should not be attributed to the Commission but only to the North Carolina Advisory Committee.

July 1974

ECONOMIC AND POLITICAL  
PROBLEMS OF INDIANS  
IN ROBESON COUNTY

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A report prepared by the North Carolina  
Advisory Committee to the U. S.  
Commission on Civil Rights

ATTRIBUTION:

The findings and recommendations contained in this report are those of the North Carolina Advisory Committee to the United States Commission on Civil Rights and, as such, are not attributable to the Commission.

This report has been prepared by the State Advisory Committee for submission to the Commission, and will be considered by the Commission in formulating its recommendations to the President and the Congress.

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Prior to the publication of a report, the State Advisory Committee affords to all individuals or organizations that may be defamed, degraded, or incriminated by any material contained in the report an opportunity to respond in writing to such material. All responses have been incorporated, appended, or otherwise reflected in the publication.

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U. S. COMMISSION ON CIVIL RIGHTS

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\*No longer a member of the Advisory Committee  
\*\*Appointed after completion of the Robeson County Report

LETTER OF TRANSMITTAL

NORTH CAROLINA ADVISORY COMMITTEE TO THE  
U. S. COMMISSION ON CIVIL RIGHTS  
August 1974

MEMBERS OF THE COMMISSION  
Arthur S. Flemming, Chairman  
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John A. Buggs, Staff Director

Sirs and Madam:

The North Carolina Advisory Committee, pursuant to its responsibility to advise the Commission on civil rights problems in this State, submits this report of its investigation into the problems of Lumbee Indians in Robeson County. The Advisory Committee undertook this study in 1972 as part of the Commission's nationwide study of the rights of Native Americans.

The 44,406 Indian peoples in North Carolina comprise the largest body of Indians east of the Mississippi River. About 40,000 of them are known as "Lumbees." Almost 94 percent of the Indians in North Carolina live in rural areas. About 60 percent live in Robeson County in the coastal plain region of North Carolina.

The Advisory Committee found limited job opportunities, obstacles to full political participation, and a 65 percent public school dropout rate for the county's 7,510 Indian students.

We found that nearly all of the Lumbees' problems are attributable in large degree to insensitivity or inaction on the part of county, State or Federal governmental bodies.

The North Carolina Advisory Committee has recommended that State officials require the County Board of Elections to fund an aggressive campaign to assure Indian voting rights; that Pembroke State University, a former Indian college, make an affirmative commitment to Indians both in its staffing and curriculum; and that State and local agencies establish action plans with specific goals and timetables to remedy current inequities in their employment of Indians and other minorities. We have also made recommendations to the Equal Employment Opportunity Commission and the U. S. Department of Labor.

We trust that the Advisory Committee's study of North Carolina Indians will be a useful contribution to the Commission's national Indian study.

Sincerely,

/s/

William W. Finlator  
Chairman

#### ACKNOWLEDGMENTS

The Advisory Committee wishes to thank the staff of the Commission's Southern Regional Office, Atlanta, Ga., for its help in the preparation of this report.

Writing assistance and field investigation was provided by Edith Hammond and legal review by Harriet Tucker. They worked under the guidance of Bobby D. Doctor, regional director. The Advisory Committee also thanks Jacob Schlitt, regional director of the Commission's Mid-Atlantic Regional Office, who assisted in the early preparation of the study.

Final edit and review was conducted in the Commission's Office of Field Operations, Washington, D.C., by editor Bonnie Mathews, assisted by Mary Frances Newman, under the direction of Charles A. Ericksen, chief editor. Preparation of all State Advisory Committee reports is supervised by Isaiah T. Creswell, Jr., Assistant Staff Director for Field Operations.

## THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, created by the Civil Rights Act of 1957, is an independent, bipartisan agency of the executive branch of the Federal Government. By the terms of the Act, as amended, the Commission is charged with the following duties pertaining to denials of the equal protection of the laws based on race, color, sex, religion, or national origin: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to denials of equal protection of the law; maintenance of a national clearinghouse for information respecting denials of equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

## THE STATE ADVISORY COMMITTEES

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

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INTRODUCTION

The North Carolina State Advisory Committee, participating in a nationwide study of the rights of American Indians by the U. S. Commission on Civil Rights, held a public open meeting on September 29-30, 1972, at the Robeson County Courthouse in Lumberton. The Advisory Committee examined the issues of political participation and employment of the Lumbee Indians in Robeson County and heard statements from 44 persons, including Indian spokesmen; representatives from educational institutions, industrial firms, and federally assisted local agencies; and Federal, State and county government officials.

Many Lumbees spoke confidentially to Advisory Committee members and Commission staff during private interviews, but were reluctant to participate in the open meetings. Several said they were afraid to voice their concerns openly because they feared possible retaliation. One said that Indians have seen what happened to Dr. Martin Luther King, and they refuse to speak out, fearing that physical harm may be inflicted upon them. A similar fear keeps Indians



from assuming visible leadership roles in demanding civil rights and human dignity, he said.

During the public hearing, major grievances expressed by witnesses included the following: Indians are given "token" jobs and are not hired in private industry at comparable levels with whites; Indians are hired in minimal numbers in retail establishments; Indians do not receive the same treatment as whites in schools; Indians have been consistently omitted from political decision-making processes and have difficulty in registering and voting.

This report is a summation of the Advisory Committee's findings and its recommendations for constructive change.

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### HISTORY OF THE LUMBEE

The Lumbee Indians are the largest body of Indians east of the Mississippi River. There are two theories which explain the origin of the Lumbees. One is that the Lumbees are "descendents of the Eastern Sioux, who once dominated the Southeastern quarter of North Carolina."<sup>1</sup>

The other, most widely accepted theory is that the Lumbees are the descendents of Sir Walter Raleigh's "Lost Colony," an English settlement which disappeared between 1587 and 1591. The colonists intermarried with the Hatteras and produced the tribe known as the Lumbee. There are fewer than 100 surnames among the 40,000 Lumbees,<sup>2</sup> almost half of which are those of the "Lost Colonists."

Clifton Oxendine wrote in 1934:

In 1730 Scotchmen began to arrive in what is now Robeson County. The Universal tradition among the descendents of these first white

1. Adolph L. Dial, The Lumbee Indian: Still a Lost Colony? , p. 19.
2. Frye Gaillard, We are Different, Aware of Those Differences, and Proud of Them, p. 2.

settlers is that their ancestors found an Indian settlement on Lumber River . . .

. . . These people were living in European-type homes, speaking the English language and tilling the soil when first discovered by the white man.<sup>3</sup>

The Lumbee settled as free men in lower North Carolina during the 18th century and participated in the Revolutionary War and the War of 1812. Laws were enacted in 1835 which deprived nonwhites of their political privileges and protections because whites feared slave insurrections.<sup>4</sup> From 1835 to 1864, the Lumbees were not permitted to attend school nor were they allowed to serve in the Confederate Army. This suppression resulted in a mounting anger which culminated in the "Lowerie War" of 1864-1874.

In 1855 Hamilton McMillan of the North Carolina legislature introduced a bill designating the Indians of Southeastern North Carolina as the "Croatan Indians." The Indians were not satisfied with this name, however, and the Assembly again changed it in 1913 to "Cherokee Indians of Robeson County." The Western Cherokees strongly protested. In 1953 the North Carolina legislature passed the Lumbee bill designating them as Lumbee Indians, and in 1956 the U. S. Congress passed similar legislation. The name was derived from the Lumber River. Unlike provisions made for Western Indians living on reservations, the Lumbee bill does not contain provisions for support of the Lumbees.

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3. Adolph L. Dial, op. cit., p. 20.

4. Ibid.

DEMOGRAPHIC OVERVIEW

Robeson County, the second largest county in land area in the state, is located in the coastal plain region of North Carolina. There are 11 incorporated municipalities in the county. Lumberton, the county seat, is the largest, having a population of 16,961.

The 1970 census indicated that the total population of the county was 84,842: 42.7 percent white, 25.8 percent black, 31.2 percent Indian, and 0.3 percent others.

There are 44,406 Indians in the State, 60 percent of whom reside in Robeson County. Of the total Indian population, 93.7 percent is considered rural.

Robeson County's population decreased by 4.8 percent between 1960 and 1970. According to a county survey, the decrease was due to low income and limited job opportunities for the minorities.

A survey published in 1969 ranked Robeson County 93rd in per capita income - at \$1,302 - among the 100 counties in North Carolina.

5. Robeson County Church and Community Center, Facts About Our Robeson County -- Do We Care?, Lumberton, N.C.: Dec. 1971, Rev. Jan. 1972.
6. United Dynamics, Incorporated, Occupational Education and Manpower in the Coastal Plain Region of North Carolina, Columbia, S.C.: Feb. 25, 1969, pp. 5-26.

In 1966 over 39 percent of the total population of the county fell below<sup>7</sup> Federal poverty-level guidelines. A 1967 survey of low-income families in North Carolina revealed the following:

<u>Income Level</u>	<u>White</u>	<u>Black</u>	<u>Indian</u>
Median Earned Income	\$4,656	\$1,618	\$1,324
Less than \$1,000 per annum	15%	35%	44%
More than \$6,000 per annum	33%	1%	8%

The disparity of income can be accounted for, in part, by employment statistics. Unemployment rates among blacks and Indians have usually been higher than those for whites. A survey completed in 1965 showed an eight percent unemployment rate for Lumbees, seven percent for blacks, and six percent for whites.<sup>8</sup> In April 1971 the county survey found that the overall unemployment rate in Robeson County was 7.3 percent.

While only 10 percent of all workers in the State are employed in agriculture, 35 percent of Robeson County's work force is in agriculture. Nearly half--48 percent--of the Lumbee Indian work force is engaged in agriculture, and 29 percent of the county's black workers are employed on farms.

7. Based on OEO Community Profile Data, 1966.

8. The North Carolina Fund's Survey of Low-Income Families in North Carolina. Report No. 2-K, Characteristics of Households in Areas Served by the Tri-County Community Action Program, Durham, N.C.: June 1967, p. 20.

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POLITICAL PARTICIPATION

A county board, appointed by the State Board of Elections, administers the election process in each county of the State. Appointees are nominated to the State Board by their respective political parties, and each is appointed for a two-year term. Each county board elects its chairman.

The functions of the County Board of Elections are to "maintain competent assistants, good election procedures and strive to make the act of voting as convenient as possible." The Board also determines the registration system, the ". . . location of precincts and other decisions concerning election matters . . . ."

The Robeson County Election Board operates on a budget of \$39,000 per year; the size of the budget is determined by the County Commissioners. The budget covers all salaries, office equipment, and supplies. None of the money is used for voter education. According to the chairman, an additional \$20,000 would be needed to conduct an aggressive voter education program.

9. Alex K. Brock, Voters Handbook - General Information on Elections and Registration, State Board of Elections, Raleigh, N.C.: 1968.

Whites, who constitute approximately 43 percent of Robeson County's population, dominate the county politically. More whites are registered to vote than blacks and Indians combined. June 1970 registration figures showed 16,270 whites registered and 15,093 blacks and Indians.

Dr. Martin Brooks, a Lumbree physician in Lumberton, stated that until the early 1960's some Indians had been voting under the "Grand-<sup>10</sup> father Clause," but through the use of the literacy test were subsequently barred from registering and voting.

Dr. Brooks told the Advisory Committee that he conducted a registration drive in 1962 with \$7,000 from the Voter Education Project of the Southern Regional Council. About 5,000 people were registered -- more than 3,000 were Indian. Dr. Brooks estimated that there are 18,000, 20,000 potential Indian voters.

Dr. Brooks said a large impediment to registering Indians was their "traditional, ingrained" feeling that it is not something for Indians and black people; that voting is the prerogative of whites. Moreover, he said, Indians do not have registrars available at convenient times or places.

Dr. Brooks described the location of one precinct:

. . . [it's] very bad for black people, and it's not much better for Indian people. Here you have to go sort of through the police station in order to get through the door where you go in to register to vote, and I've known of many black people in this particular precinct who turned around when they got there and saw policemen at the door.

10. A provision inserted in the constitutions of some Southern States after the Civil War requiring high standards of literacy and substantial property qualifications of voters except for descendents of men voting before 1867.

According to Dr. Brooks, some Indians who live as tenant farmers have been discouraged from registering through intimidation:

. . . tenant farmers and some who are not tenant farmers, but they had sort of lived out their life span on the landlord's land, and they were living in a shanty free of charge, and they were told that day for meanness--'if you register and vote, then you no longer get this shack free.'

Sam Kerns, a Lumbree businessman from Pembroke, was involved in a registration drive in 1971 concentrating primarily on the Indian communities in Robeson County. Mr. Kerns agreed with Dr. Brooks that many Indians, particularly the poor or rural Indians of the county, are afraid to register to vote. "It is a matter of servant-management relationship that still exists in the minds of many of these . . . rural Indian people," he said.

Mr. Kerns told the Advisory Committee that in a precinct in the southern part of the county, one registrar would not invite people into his home to vote, but would register them under a tree on the hood of a car. "He wouldn't give them the courtesy of even going to the back door for registration," Mr. Kerns said.

During the registration drive, which was funded by the United Methodist Church, Mr. Kerns said he attempted to be certified as a roving registrar and was told by the local Board of Elections, which was all white at that time, that they couldn't employ someone who was paid from a source other than the Board of Elections. According to Mr. Kerns, however, each county registrar and the registration commissioners are paid a nominal fee for their work as registrars in addition to their wages from their regular jobs.



Mr. Kerns said there was also opposition from the County School Superintendent. One registrar, he said, was told by a principal that she could not conduct registration activities in the school because the superintendent did not want it, although the State Board of Elections and the State Board of Education had endorsed voter registration in the public schools.

As a result of the registration drive, Mr. Kerns said some restraints on registration were eliminated. A new County Board of Elections was appointed in 1972 consisting of John Robert Jones, an Indian Republican, chairman; Joseph Ward, a white Democrat; and Washington Hawkins, a black Democrat. Joyce Locklear, an Indian, is the secretary and the only permanent staff member. The board appointed new registrars based on the racial makeup of precincts. In 1971 there were only 11 nonwhite registrars of the 117 in the county. There are now 41 Indian and 20 black registrars.

Of the approximately 11,000 Indians registered, however, only 45-50 percent turned out to vote. Mr. Kerns attributed the low turnout to lack of preparation in the public school system, and to the historical lack of political participation among the Indian people. He suggested the following as a potentially effective remedy:

The school system should concentrate a great deal on . . . participation in civics classes, in Government classes, in history classes and in addition to that, I think they should have local political people, local Board of Elections officials, in the schools to explain the voting process and how the individual relates to the overall democratic process.

County election board members also enumerated proposals to assist minority persons in registering and exercising their franchise:

- 1) Discussions with youth on the importance of voting;
- 2) Changes in the State election laws to relieve the county of the financial burden of carrying the entire expense of an election;
- 3) More public places to house voting precincts;
- 4) Registrars who are more sensitive to the public.

Alex Brock, Secretary of the State Board of Elections, and Robert Morgan, State Attorney General, were invited to the Advisory Committee's hearing but they did not appear.

#### The Double Vote

One of the most critical areas of political participation is that of the "double vote." Citizens living in the cities of Robeson County vote for their city's school board and they also vote for the county's school board. Citizens living in the county vote only for the county school board. This gives the city dwellers a "double vote" and an alleged unfair advantage over the county residents. The majority of city residents are white, whereas the majority of county residents are minorities.

An editorial in the Carolina Indian Voice in November 1972 stated:

Not only do city residents vote for board officials who control the schools where their children are in attendance, but they exercise, because of their numbers, virtual control over

the county system which does not affect their children. The county board does affect our children and our schools.

We are requesting only the same opportunity that city residents already possess, that of electing board officials who are responsive to the requests of the parents and children they are serving.

Indians have been successful in electing only two Indians to the County Board of Education because of the "double vote" system. Indian candidates who obtained a majority of the vote in the county have lost elections because of the city vote.

The city voters who control elections make no financial contributions to the county's school system other than tax money collected from all the people of Robeson County. The editorial further stated:

City school districts receive tax money which is collected from all people of Robeson County on a per student basis. This is exactly the same method used to finance the county district. Thus, all districts share equitably in a common school tax fund. The only districts which have special school taxes are Lumberton and Red Springs and these funds remain in their districts.

Therefore, why should city residents have the controlling vote over the county board of elections?

According to the editorial submitted by the Concerned Indians of Robeson County, the City Board of Education opposed merger of the school systems because they allegedly would "lose control" of their schools.

This is exactly what we in the county district are attempting to obtain--the right of people to control the education of their children. We

cannot believe any fair-minded person would deny us this and, at the same time, demand it for himself.

Nearly 80 percent of the student population of Robeson County's public schools is minority. Of a total enrollment of 13,192 for the 1972-73 school year, 7,510 students (56.8 percent) were Indian and 3,010 students (22.8 percent) were black.

For the same school year, 76 percent of the county schools' 600-member professional staff was minority. This included 352 (58.7 percent) Indians and 104 (17.3 percent) blacks. In the county's 29 public schools, there were 13 Indian principals, four black principals, and two Indian assistant principals. Of the 544 teachers, 314 were Indian and 98 were black.

In interviews with Commission staff, community persons living in the county charged that the schools were not working effectively with Indian students. They cited a dropout rate of almost 65 percent as evidence that the system was not responding to the needs of Lumbee youth. Complaints focused on poor equipment and inferior physical facilities, inadequate enforcement of integration guidelines, low quality of instruction and motivation, and low levels of achievement.

William A. McCormick, chairman of the County Board of Education, and Young H. Allen, superintendent, were invited to participate in the Advisory Committee's informal hearing. However, on the day prior to the hearing they notified the Committee that they would not attend. (See Appendix A.)

## EMPLOYMENT

### Statistical Analysis of Employment Questionnaire

In an effort to get a picture of employment in Robeson County, the North Carolina Advisory Committee conducted a mail survey in September 1972, sending questionnaires to the approximately 320 employers in the county. (See Appendix B.) These included private industrial employers; service and retail establishments; educational institutions; and State, county, municipal, and federally-funded agencies. A number of the questionnaires were followed up by staff visits and telephone contacts.

Of the 320 questionnaires mailed, 88 forms were completed and returned to the Advisory Committee. This represents a return of 27 percent. The information from each form was combined by job category and reduced

to a master scale. A compilation of the information reported on those 88 completed questionnaires reveals:

TABLE I  
Employment Data

Job Categories	Indian	Black	White
Officials and Managers	40	21	455
Professionals	406	257	781
Technicians	22	35	126
Sales	36	22	205
Office and Clerical	24	27	358
Skilled craftsmen	118	57	273
Operatives (semi-skilled)	241	103	149
Laborers (unskilled)	145	111	116
Service workers	173	339	224
Total No. Employees	1,205	972	2,687
GRAND TOTAL --	4,864		

Table I shows a disproportionately low number of blacks and Indians employed in white-collar jobs, with the largest numbers of minorities in blue-collar jobs, excepting the skilled craftsmen category.

In the professional category there is a large number of Indian employees, the majority of whom are teachers. Robeson Technical Institute, for example, reported as professionals, persons teaching handicrafts, sewing, cooking, etc.

Most of the employees reported as technicians were employed at the hospital.

The form also contained questions regarding income of employees. Again, the data was compiled to form a master chart. The figures in

Table II are complete only in terms of those companies which returned the questionnaires.

TABLE II  
Income Data

Yearly Salaries	Indian	Black	White
\$20,000 and above	0	0	16
15,000 - 19,999	1	1	34
12,000 - 14,999	7	18	85
10,000 - 11,999	19	23	107
8,000 - 9,999	230	133	364
6,000 - 7,999	162	82	471
5,000 - 5,999	76	55	271
4,000 - 4,999	130	107	303
3,000 - 3,999	157	108	302
2,000 - 2,999	155	122	137
Below 2,000	312	183	342

The majority of persons in the range \$6,000-\$7,999 are teachers.

Some employers stated that they do not pay regular salaries as low as \$2,999, and persons in that salary range are part-time employees.

Although there were 40 Indians listed as officials and managers, there were none at the highest salary level of \$20,000 and above. There were 406 Indians in professional jobs, but only 27 earned \$10,000 per year or more. For minorities, there is apparently little correlation between job categories and salary levels.

A comparison of the racial composition of the total Robeson County population and that of the work force of the 88 employers who responded to the Advisory Committee's questionnaire shows:

TABLE III

Total Population vs. Employees

	Indian	Black	White
Robeson County -- Total Population*	31.2%	25.8%	42.7%
Work Force of Responding Employers	24.7%	20.1%	55.2%

\*Robeson County contains 0.3 percent residents in other racial categories.

The information compiled by the Advisory Committee indicates:

- 1) Both Indians and blacks are underemployed in the county;
- 2) The disproportionately low employment rate for Indians is even greater at the higher salary levels; and,
- 3) The largest number of Indians in any one salary category is that level "below \$2,000" annual income.

A work force break-out of the largest employers in Robeson County in Table IV, which follows, includes service agencies, retail establishments, manufacturers, and textile industries.

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TABLE IV  
 WORK FORCE BREAK-OUT  
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 (Represents 33 Units)

	Total Employees	White Collar	Officials & Managers	Profes- sionals	Tech- nicians	Sales Workers	Office & Clerical	Crafts- men	Opera- tives	Laborers	Se
All employees number	8,540	2,065	611	169	119	258	908	493	5,215	381	3
Black employees number	1,663	87	18	2	9	22	36	43	1,226	133	1
percent	19.5	4.2	2.9	1.2	7.6	8.5	4.0	8.7	23.5	34.9	45
Indian employees number	2,445	119	42	-	15	24	38	77	2,065	112	18
percent	28.6	5.8	6.9	-	12.6	9.3	4.2	15.6	39.6	29.4	18

Source: Advisory Committee survey of employers, September 1972.

An analysis of the data shows the following:

- 1) Although minorities comprise 57.3 percent of the population, only 48.1 percent are employed in the 33 major units in the county.
- 2) Minorities comprise only 10.1 percent of those employed in the 2,065 white-collar jobs.
- 3) There are no Indians employed as professionals and only two blacks in the 169 professional jobs.
- 4) The largest numbers of Indians are relegated to operative, laborer and service classifications. These represent the lowest paying jobs in the blue-collar category.

#### Working Conditions of Lumbees in Private Industry

The Advisory Committee also heard testimony from Indians employed by major private industrial firms. Mrs. Stella Jacobs and Mr. Purcell Hammonds were former employees of B. F. Goodrich, now Converse Rubber Company; Mrs. Arlene Wickers was employed by Pembroke Manufacturing Company. The testimony of these participants indicated that:

- 1) Indians were placed on the most difficult jobs in the plants;
- 2) Supervisory jobs were usually given to white employees;
- 3) Unreasonable production quotas were expected from Indians;

- 4) They were paid low wages and received no promotions.

Mrs. Jacobs worked for the Goodrich Company for six years, she said, and her starting pay was \$1.45 per hour. She was earning \$2.30 per hour when she quit. She resigned, she said, because of the heavy workload. Mrs. Jacobs was assigned to a job which had three shifts, with one woman assigned to each shift. When the other two workers quit, she said, their duties were assigned to her, but she received no additional pay for the added responsibilities. She told the Advisory Committee that she had asked to be transferred to another job in the plant, but her request was denied, although she understood that other persons had been granted transfers.

Mrs. Wickers told the Advisory Committee that she received no promotion during her 8 1/2 years of employment with Pembroke Manufacturing Company. She started working at \$1.15 per hour and her highest pay was \$1.60 an hour. As a machine operator, she said, she could operate any machine in the plant, and had worked on the blind stitch and the overlock hemmers. Having completed all the work on the blind stitch hemmer, she was told she was no longer needed. Although there was work for an overlock hemmer which she could have done, she was told there was someone else who could do that work. According to Mrs. Wickers, the other person was not Indian, and Indians were laid off faster than white employees.

Mr. Hammonds started work for the Goodrich Company as a racket puller at \$1.80 per hour. At his termination after two years he was earning \$2.25 per hour. Mr. Hammonds said he was active in the union

and the more active he became, the more the company would move him from job to job. Each time he was moved he was classified as a trainee and his pay was reduced, he said.

In the two years that Mr. Hammonds worked for B. F. Goodrich and for Converse he was never given an unsatisfactory performance rating, and never missed a day from work. He said he felt he was fired because he is Indian and because of his union activity.

Jerry Cummings, an organizer for the Industrial Union Department, AFL-CIO, stated at the hearing that these types of complaints are common in most plants in the Robeson County area. He said that no plant had a grievance procedure which employees could use without subsequently being intimidated.

Mr. Cummings described another employee of B. F. Goodrich, Eva Mae Oxendine, whose job was to remove hot shoes from the racks and place them on a conveyor belt. He said that Ms. Oxendine's hands were so badly burned they bled, but that when she asked to be transferred to another job she was told by the foreman, "That's your job, and that's where you're to stay, or you'll have to quit." According to Mr. Cummings, this kind of alternative was given only to Indians, and there were no whites performing the job described. Another Indian woman who did the same work had to quit, Mr. Cummings said, and had to pay her own medical expenses for several months after leaving the plant.

According to Mr. Cummings, the average wage in Robeson County ranges from \$2.00 to \$2.10 per hour, compared to the average wage for

the State of approximately \$2.75 per hour. In June 1972, North Carolina ranked 50th in the country in average salaries. The national average was \$3.70 per hour. The average industrial worker in North Carolina, Mr. Cummings said, earns \$2,163.20 less than the average industrial worker in the nation, and the average worker in Robeson County earns \$1,352.00 less than the average worker in North Carolina, and \$3,515.20 less than the average worker in the nation.

Large industrial plants have moved to Robeson County to find a cheap labor supply, Mr. Cummings charged.

"This exploitation of the worker," Mr. Cummings said, "whether he is white, Indian, or black, also means that his wife and children are being exploited. It means that he can't possibly provide decent housing, decent clothes, adequate food, and decent education for his children."

The Indian is even worse off than the average worker in Robeson County, according to Mr. Cummings, who said that the majority of Indians there are still eligible for welfare or food stamps even after they have worked 40 hours a week in the factories.

He also told the Advisory Committee that the Chamber of Commerce influences Indians against unions, speaking negatively about union dues and strikes; and Indians, not fully understanding what the union is and does, are afraid to become involved in union activity.

W. B. Shields, plant manager of Temptation Hosiery Company, told the Advisory Committee that his company was an equal opportunity employer

and between 60-65 percent of its employees were Indian. Mr. Shields stated that he was not familiar with affirmative action programs, and as far as he knew there were no equal opportunity posters displayed in the plant. The Lumberton branch employed approximately 250 persons. There was no formal grievance procedure in the plant, Mr. Shields said, and employees expressed grievances directly to him. Six or seven persons were classified as supervisors, one of whom was Indian. Based on production schedules, Mr. Shields said, employees earned from \$1.65 to \$3.50 an hour. After 12 months' service, employees earned one week paid vacation; after five years, two weeks. There was no paid sick leave, Mr. Shields said.

Pembroke Manufacturing Company and Converse Rubber Company were invited to make statements during the Advisory Committee's informal public hearings in September 1972. Although they were not represented at the meeting, both submitted letters of information in December 1972. (See Appendices C and D.)

Pembroke State University (PSU)

Pembroke State University was all Indian in 1954. Following the Supreme Court Decision in Brown v. Board of Education that year, the school was opened to all persons without regard to race, religion, or national origin. PSU has grown to almost 2,000 students, but the number of Indian students has remained relatively constant. There were approximately 150 Indian students in 1954, and in 1972 there were 160-170.

Interviewed in 1972, Dr. Carl M. Fisher, vice-president for academic affairs and dean of faculty at PSU, said there were about 1,900 students enrolled at the university, approximately 86 percent of whom were white, 5 percent black, and 9 percent Indian.

Dr. Fisher said the racial composition of the board of trustees of the university was approximately one-half Indian, and the school had an unwritten policy to maintain the 50-50 ratio. In the past all board members were appointed by the Governor; now four members are appointed by the Governor and eight by the legislature. The thirteenth member is PSU's elected student body president. Dr. Fisher further stated that most board members were community people (businessmen, etc.). Some have limited educational backgrounds, he said. When asked how non-educators make educational determinations, Dr. Fisher responded that the board acted upon recommendations made by the professional staff members.

James B. Chavis, dean of student affairs, testified at the hearing that there were 118 people paid from the faculty payroll. Of this number, eight were Indian, and there were no black faculty members.

Bill Mason, business manager of PSU, said that the university used about eight referral services to recruit its academic personnel. The State Personnel Department and the Employment Security Commission were used for the recruitment of non-academic personnel. Of 106 non-academic positions, approximately 80 were filled by Indians. These jobs included maintenance, housekeeping, clerical, and administrative responsibilities.

Dr. Waltz Maynor, former associate professor at PSU, appearing before the North Carolina Advisory Committee, addressed himself to hiring practices at PSU and their effect on Indian education, and possible changes in practices to improve Indian education.

Dr. Maynor stated that the hiring practices at PSU were similar to those at other universities and that academic personnel were hired by the academic dean. He was quite sure, however, that Indians were not hired by the academic dean at PSU unless the chancellor of the university interceded. The academic dean was white and the chancellor, Indian.

Dr. Maynor shared with the Advisory Committee a letter from Ms. Aggie Dees, a Lumbee Indian who had applied for a position with the media staff for the school year 1972-1973. Ms. Dees received a reply which stated, "We have no position available. I don't know when one will be available. There's not a chance in the future of having one available." According to Dr. Maynor, on September 17, 1972, the names of new employees at Pembroke were printed in the Robesonian, including a new assistant director for the PSU media staff. Ms. Dees had a master's degree and was a media specialist, Dr. Maynor said, while the person hired, who was white, had only a bachelor's degree.

Dr. Maynor said he felt there should be some programmatic activity geared toward Indian students since PSU was formerly an Indian school. He suggested that an Indian college be instituted at the university which would motivate more Indians to attend, and would further enhance Indian students' appreciation of their cultural identity. Dr. Maynor also



said he thought that professors at PSU should live in the Indian community. PSU's white professors earn their money in Pembroke, an Indian community, but live in Lumberton, which is predominantly white, he said, and consequently they tend not to elevate the economic level of the Indian community.

Lew Barton, a Lumbee poet and writer, claimed that one white professor had been fired from PSU because he supported Mr. Barton's criticism of the university's policies toward Lumbee Indians. Mr. Chavis, the dean of student affairs, however, stated that community activism would not be a criterion for the retention or dismissal of a faculty member. He said there were channels of appeal for faculty members such as the Faculty Legislative Assembly, a chapter of the American Association of University Professors, and a Committee on Faculty Welfare.

Dean Chavis could not respond to the testimony regarding the Indian applicant, Ms. Dees, but stated that he did not believe that the school's chancellor must intercede before Indian professors are hired. The last Indian hired, he said, was employed by the academic dean.

According to Dr. Fisher, teachers are recruited through flyers sent to department chairpersons at other universities in the southeast, and through advertisements placed in professional journals. The chairperson of the department in which a position becomes available makes the initial contact, interviews applicants, and evaluates the applicant's professional competence. Subsequently, Dr. Fisher interviews the applicant, evaluates how he thinks the applicant will relate to other staff members and the student body, and makes his recommendation to the chan-

cellor, Dr. English Jones, who in turn makes a recommendation to the board of trustees. The board of trustees is ultimately responsible for hiring professional personnel.

Neither Dean Chavis nor Mr. Mason could report the racial composition of the student body. According to Dean Chavis, the university at one time kept records indicating race, but the procedure was discontinued because the "...Federal Government told us we couldn't ask that information any more...."<sup>11</sup>

Dr. Fisher stated that Jason B. Lowery, an Indian and the admissions officer at PSU, was hired to recruit Indian students. According to Dr. Fisher, Mr. Lowery visits high schools throughout the State to recruit Indians. Even with this effort, Indian enrollment has remained constant.

#### Robeson Technical Institute

Robeson Technical Institute officially opened its doors on July 1, 1965, as an extension of Fayetteville Technical Institute, Fayetteville, North Carolina. The establishment of the school in the Barker-Ten Mile area of Robeson County marked the fulfillment of a dream of many concerned and enthusiastic citizens of the county. The school

11. In a telephone interview on April 26, 1974, Marvin Mangham, assistant regional attorney, Department of Health, Education, and Welfare, Region 4, said that there has never been a statute or regulation prohibiting any college or university from requiring an applicant to state his race. There was, however, a policy statement issued by DHEW in the mid-1960's which prohibited institutions from barring applicants on the basis of race. This statement was frequently interpreted by personnel in colleges and universities to mean that they were prohibited from "keeping records by race." In the late 1960's, DHEW issued a policy statement that the question of race was to be used only for statistical reasons. Since the passage of the 1964 Civil Rights Act, DHEW has always required colleges and universities to report racial data.

was founded to meet the long-felt need in the educational segment of the area--the need to provide post-secondary training at the technical and vocational levels.

In the fall of 1967, Robeson Technical Institute became an independent institution, operated through a contractual arrangement with the Robeson County Board of Education. A local Board of Trustees was appointed and consisted of eight members, four appointed by the Robeson County Board of Education, and four appointed by the Robeson County Commissioners.

On July 1, 1971, through provisions of the North Carolina constitutional amendments as passed by the voters in the general election in November of 1970, Robeson Technical Institute's legal status changed to a chartered institution. The number of trustees increased to 12 with the additional four members being appointed by the Governor.

The school, under the administration of the State Board of Education, Department of Community Colleges, is supported by public funds from local, State, and Federal sources.<sup>12</sup>

The student body is approximately 40 percent Indian and 30 percent black. Nick J. Locklear, a former employee at Robeson Technical Institute (RTI), told the Advisory Committee that at the time of his employment in 1971, two members of the board of directors were Indian, and that there was only one Indian instructor. Now, however, of the 34 teachers at the Institute, there are three Indian instructors, one Indian guidance counselor, and one Indian assistant.

Mr. Locklear stated that his employment was terminated after 1 1/2 years with the Institute's adult education crafts training program, which was subcontracted from the North Carolina Manpower Development Corporation. Mr. Locklear alleged that the official reason given for his

12. 1971-1973 Robeson Technical Institute Bulletin, St. Pauls, N.C.: Sept. 1971, p. 8.

termination was that the program was not refunded; but he felt he was discriminated against because he is Indian.

During his employment, he said, he had requested two days personal leave, which was granted, and he attended a conference held by the American Indian Movement in May 1972 at the Leech Lake Reservation in Cass Lake, Minn. According to Mr. Locklear, when he returned from the conference, the dean of faculty said, "You should have told me where you were going." Mr. Locklear said he interpreted this to mean, "When you work at an institution like this, you don't go out and stand up for your own rights."

The chairman of the North Carolina Advisory Committee received a letter from Craig Allen, president of Robeson Technical Institute, saying he would be unable to attend the hearing because of a previous commitment. He stated in his letter that RTI complies with the laws of the United States in regard to human relations. The board of trustees, he said, had instituted a policy which states that "...any person, student or employee who is found guilty of the promotion of racial unrest shall be dismissed from the school...." He further stated that RTI did not discriminate on the basis of race in either hiring of personnel or the admission of students. (See Appendix E.)

#### Employment of Lumbees in the Public Sector

The Advisory Committee heard testimony from Henry Wallace Neville who was employed by the North Carolina Highway Commission for 2 years and 8 months. During the last year and a half of his employment,

Mr. Neville said, he was promised permanent status, but the permanent position was given to a white male.

According to Mr. Neville, Billy Dees, District Engineer of the Highway Commission, had explained to him that if two or more persons were qualified for a permanent slot and there was only one such slot, the most senior person would get the position. He was also told that if an employee quit at any time during his employment and was rehired, he would not be eligible for permanent status. Mr. Neville said the white male who was given permanent status had stopped working for about two months to tend his farm, and according to Mr. Dees' explanation, this person should have lost his seniority.

Mr. Neville said he worked as a truck driver, but when he started, he was paid for three months as a laborer. When he quit he was earning \$2.19 per hour.

Mr. Dees told the Advisory Committee that as the district engineer for the North Carolina Highway Department for the Robeson County area, he was responsible for the maintenance of all county roads and for the performance of employees. He said he had the authority to hire the work crew. At the time of the hearing, there were 127 employees--100 were permanent and 27 were temporary. According to Mr. Dees, there were six Indian and 15 black permanent employees. He stated that he was aware that discrimination had existed in the State Highway Department in the past, and that when he accepted the job five years prior there were only two Indian and two black employees in the department.

Mr. Dees said that all employees are initially hired as temporary employees, and since there are only 100 permanent slots, temporary employees must wait until one becomes vacant. At that point, a decision is made by Mr. Dees and the employee's foreman. It is preferred, he said, that employees remain in temporary status for about a year before being put on the permanent payroll. This is done in order that the employees may be closely supervised before being put on the road.

According to Mr. Dees, an employee does not lose seniority if he is on leave of absence for more than two consecutive weeks. The time counted toward seniority is the time an employee has actually worked with the Highway Commission, which need not be consecutive. He stated that seniority is given the least importance in considering promotions or permanent employment. The most important factors, he said, are the employee's work attitudes and character.

There are no Indians nor blacks serving on the 23-member Highway Commission board.

Mr. Dees offered an affirmative action statement at the hearing showing that the North Carolina Highway Department is an equal opportunity employer. He stated, however, that he did not understand what is meant by an affirmative action program, and he was not aware that the jurisdiction of the Equal Employment Opportunity Commission then included State and municipal employers. Although Mr. Dees admitted that racial discrimination had existed in the highway department, he had not developed a proposal to effect a remedy for existing discrimination.

Testimony presented by Mr. Dees indicated that while his intentions were good, he had not been provided the guidance to operate effectively in the area of equal employment opportunity.

The North Carolina Advisory Committee also heard testimony presented by Paul Graham, county manager of Robeson County, who said that the County Board of Commissioners is limited in its power to employ because of State personnel regulations. The county board directly employs approximately 50 persons. Although there are approximately 200 employees on the county payroll, the board exercises financial control only over those offices headed by an elected official, namely: the Sheriff's Department and the Office of the Registrar of Deeds.

The county board does make appointments to the board of the Department of Social Services and the board has the responsibility of employing a director. The director hires all other staff with the approval of the appointed board.

The county board makes no appointments to the Health Department.

The county board instituted a personnel resolution and a pay plan about five years ago, but the personnel resolution included no mention of equal employment opportunity.

As of September 1, 1972, there were 202 county employees, of whom 14 percent were black, 74 percent white, and 12 percent Indian. Table V on the following page lists the racial breakdown of county employees submitted by Mr. Graham at the request of the Advisory Committee. This was the first time in 10 years such a breakdown had been compiled by the county.

TABLE V  
EMPLOYEES BY RACE  
IN  
AGENCIES IN COUNTY GOVERNMENT

Office	Total Employees	Indian	Black	White	Percentage		
					Indian	Black	White
Tax Listing	11	2	1	8	19	9	72
Tax Collector	9	-	1	8	-	11	89
Sheriff's Department	30	5	2	23	16	7	77
Board of Elections	1	1	-	-	100	-	-
County Manager	4	-	-	4	-	-	100
Court House	5	-	3	2	-	60	40
Register of Deeds	7	1	-	6	14	-	86
Jail	5	1	-	4	20	-	80
ASC	1	-	-	1	-	-	100
Social Services	71	9	12	50	13	17	70
Civil Defense	2	-	-	2	-	-	100
Development Commission	2	-	-	2	-	-	100
Extension Service	16	2	5	9	13	31	56
Rabies Control	1	-	-	1	-	-	100
Health Department	31	2	4	25	7	13	80
Inspection Department	5	1	-	4	20	-	80
Veterans Service Officer	2	-	1	1	-	50	50

Source: Robeson County Government response to Advisory Committee survey of employers, September 1972.



Based on the data, it is evident that although minority races comprise more than half the county's population, they are not proportionately represented in county employment. It is interesting to note that although the county manager stated, "...We have not made any discrimination..." his own office was 100 percent white.

Claude Caldwell, director of personnel for the North Carolina State Personnel Department, explained to the Advisory Committee the State's role in public employment. According to Mr. Caldwell, "The process of employment in State government is a highly decentralized process." Employment is largely in the hands of individual department heads, and the State Personnel Department deals with only five or six thousand positions out of some 50,000. These are jobs financed in part by Federal grants. They require civil service or competitive testing selection. The State Personnel Department is responsible for administering the tests and compiling the test scores and referring to the employing agency the names of those persons on the register who are eligible.

Of the approximately 50,000 State employees, as of September 1972, only 134 were Indian. This is barely one-fourth of one percent of the total employment figure. Mr. Caldwell stated that former Governor Robert W. Scott issued a memorandum September 29, 1972, to all State agencies requiring that they develop affirmative action programs, including goals and timetables. (See Appendix F.) Several State agencies already had written affirmative action programs because they were receiving Federal grants.

Mr. Caldwell explained that it would be inappropriate to have a statewide affirmative action plan including Indians because the Indian population is concentrated in so few areas of the State. Mr. Caldwell said, for example, that the State Personnel Department recruits at the college graduate level on college campuses. He also said that tangible plans should be made by State agencies to recruit minority employees, but he did not believe that agencies should compute the percentage of a particular minority in the population to determine how many minority people should be employed. He stated that people should be employed according to their "readiness for employment."

Jesse S. Beatty, office manager of the Employment Security Commission (ESC), explained that employment security representatives take applications, administer aptitude tests, provide employment counseling, and process claims for unemployment insurance. Applicants are sent to the various companies or agencies for which the ESC has job orders. Most of the applicants are nonprofessional. Although the agency has referral cards, there is no refined system for identifying the race of applicants either hired or denied employment. The only breakdown maintained is the total of white and the total of minority referrals.

The Advisory Committee had been told by various witnesses that Indians could only expect menial jobs by applying through ESC. Mr. Beatty read to the Committee a letter from Donald L. Hollowell, regional director of the Equal Employment Opportunity Commission, which stated that "...The records indicate that persons of all racial groups are referred [by ESC] to the same or similar job openings."

Mr. Beatty said that the ESC had no authority to hire and could only refer persons to other agencies, but the agency would not accept orders which specified that a white applicant be sent. Of four staff interviewers, one was Indian and one was black.

According to Robert Parnell, postmaster of the Lumberton Post Office, the Lumberton Post Office had 36 employees--32 white and four black. He could not explain why no Indians were employed. Only one person had been hired since 1962, he said, and he was black. There was little or no turnover in his post office, and no part-time or temporary employees were ever hired. None of the four black employees were supervisors. Mr. Parnell explained that he submitted a report each month on employment activity to the EEO coordinator at the regional office in Fayetteville.

Other postmasters who were invited to the public hearing did not appear. John Sampson, a postman with the Pembroke Post Office, stated in a telephone inquiry, that there were no complaints at his post office. There were eight employees, he said, seven Indian and one white, and there were no "colored" because there had been no "colored applicants."

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FINDINGS AND RECOMMENDATIONS

POLITICAL PARTICIPATIONFINDINGS

1. The North Carolina Advisory Committee finds that although Indians and blacks constitute approximately 57 percent of the population, they comprise only 48.12 percent of the registered voters of Robeson County. Although this figure represents a significant increase in minority registration in recent years, whites still control the community economically and politically.
2. The Advisory Committee finds that State and local practices still discourage many Indians and blacks from registering, and there has been intimidation including: the location of some places of registration, verbal threats by landlords, disparate treatment of minority people by registrars, and until recently, virtually all-white county registrars.
3. The County Board of Elections of Robeson County is unable to carry out an affirmative, aggressive campaign to encourage minority citizens to vote in order to overcome the historical opposition to their participation. The Board's operating budget is insufficient to meet its needs, and none of its current monies are used for voter education.
4. The predominantly white residents of Lumberton vote for both the city school board and the county board of education. Residents from predominantly minority areas of Robeson County vote for members of the county board only. The county board, therefore, is not solely responsible to county residents who live outside the city of Lumberton. There is apparently no economic justification for this, based upon the way taxes are collected and distributed.

RECOMMENDATIONS

1. The Advisory Committee recommends that the State of North Carolina require the County Board of Elections to conduct an aggressive voter education campaign which would include seminars on voter education, the rights of citizens, and other appropriate devices.
2. The Advisory Committee further recommends that the local government provide a legal services program for indigents.
3. The Advisory Committee recommends that the State of North Carolina provide sufficient funds to: 1) increase the staff of the County

Board of Elections; 2) conduct more effective elections;  
3) provide a well planned voter education program.

4. The Advisory Committee recommends that the county and city school systems be merged.

#### PRIVATE EMPLOYMENT

#### FINDINGS

1. The Advisory Committee finds that in private industry there is a disproportionately small number of blacks and Indians employed in white-collar jobs. The greatest numbers of blacks and Indians are found in the lowest job classifications and the most difficult and least safe jobs. Consequently, minorities have the lowest salary level.
2. The Advisory Committee further finds that, as of June 1972, the average hourly wage in the county (\$2.00 to \$2.10) was substantially lower than the average hourly wage statewide (\$2.75) and nationwide (\$3.79).

#### RECOMMENDATIONS

1. The Advisory Committee recommends that the Equal Employment Opportunity Commission undertake an investigation of major industrial employers in Robeson County, and that EEOC clearly delineate their obligations as employers under the Civil Rights Act of 1964, as amended. One way to accomplish this could be to conduct a seminar with managers of private industrial plants in the county.
2. The Advisory Committee recommends that the Office of Federal Contract Compliance, U. S. Department of Labor, ascertain whether there are any Federal contractors in Robeson County, and if there are, require such employers to develop and implement affirmative action plans. These plans should include, but not be limited to, goals and timetables for hiring and upgrading Indians.
3. The Advisory Committee recommends that the State of North Carolina establish minimum hourly wages in line with national averages.

EMPLOYMENT -- EDUCATIONAL INSTITUTIONSFINDINGS

1. The Advisory Committee finds that Pembroke State University, formerly an Indian college, has very few Indian professionals on its staff, and has only recently implemented any kind of Indian studies program. It seems to have lost its affinity with the Indian community.

RECOMMENDATIONS

1. The Advisory Committee recommends that Pembroke State University hire more Indians for its professional staff, and that it make an affirmative commitment to social change in the county and the region by providing courses to enhance the appreciation of Indian culture as part of its core curriculum.

PUBLIC EMPLOYMENTFINDINGS

1. The Advisory Committee finds that county agencies and State agencies located in the county substantially underemploy Indians.
2. The Advisory Committee finds that the agencies represented at the hearing have failed to comply with their equal employment obligations under State law (memorandum of September 29, 1972 from Governor Robert W. Scott to all State agencies) and Federal law (Title VII of the Civil Rights Act of 1964, as amended).

RECOMMENDATIONS

1. The Advisory Committee recommends that State and local agencies establish affirmative action plans with specific goals and timetables to remedy current inequities.
2. As Robeson County was not aware of the extent of Indian underrepresentation in employment until it conducted a census pursuant to the request of the Advisory Committee, it is recommended that the county conduct an annual employment census to monitor progress.

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APPENDIX A:

Correspondence from Robeson County  
Board of Education

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W. K. CULBRETH, CHAIRMAN  
ROUTE 4, LUMBERTON, N. C.

J. G. SESSOMS, VICE-CHM.  
ROUTE 3, LUMBERTON, N. C.

STEVEN STONE  
ROUTE 1, ORRUM, N. C.

HARRY WEST LOCKLEAR  
PEMBROKE, N. C.

## Robeson County Board of Education

Y. M. ALLEN, COUNTY SUPERINTENDENT  
LUMBERTON, NORTH CAROLINA  
ZIP CODE 28358

I. J. WILLIAMS  
REX, N. C.

W. ALBERT MCCORMICK, JR.  
ROWLAND, N. C.

THURMAN ANDERSON  
ROWLAND, N. C.

September 28, 1972

The Reverend W. W. Finlator, Chairman  
North Carolina Committee to the  
U. S. Commission on Civil Rights  
Mid-Atlantic Field Office  
1405 Eye Street, N. W.  
Washington, D. C. 20425

Dear Reverend Finlator:

Thank you for your letter of September 20, 1972 relating to the hearings being held in Lumberton on September 29 and 30.

As stated in your letter and in Mr. Jacob Schlitt's conversation with the County School Superintendent, the matters you mention that you desire or expect to be discussed are basically the same items which are now in question and in pending litigation in the federal courts. After consulting our attorneys, we have been advised that it would be highly inappropriate and improper for our Board of Education or its representatives to appear before any body or organization to discuss or pre-try these matters prior to their being ruled upon in the federal courts. Therefore, we are hereby respectfully declining your invitation to appear before your committee, as suggested in your letter.

Relative to the information you mention in your letter as needed by your committee, please be advised that the Department of Health, Education and Welfare and the United States Department of Justice have spent literally days and weeks in our central office and in our schools researching for information. We have also been required, through our office and through our attorneys, to answer voluminous questions and provide information through forms, affidavits and oral depositions, so we do not believe that there would be anything that we could add to this information already furnished or make any constructive contributions to your study.

Sincerely,

W. Albert McCormick, Jr., Chairman  
Robeson County Board of Education

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ST MCCORMICK, JR.  
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APPENDIX B:

Advisory Committee's Survey  
Form for Employers

## UNITED STATES COMMISSION ON CIVIL RIGHTS

Washington, D. C. 20425

## Appendix A

• August 24, 1972

Dear Friend:

The North Carolina State Committee to the U. S. Commission on Civil Rights is charged with the responsibility for collecting information on civil rights developments in North Carolina.

As part of the Commission's national study of the civil rights of American Indians, the North Carolina Committee is undertaking a survey of employers in Robeson County to determine the employment patterns of the Lumbee Indians in the County. In addition to the survey, the Committee is planning to hold a hearing in Lumberton at the end of September.

We would greatly appreciate your cooperation in completing the enclosed questionnaire and returning it to our Atlanta office (in the enclosed envelope which requires no stamp) by September 8.

If it is possible, please include a copy of your most recent EEO-1 Form as well. If you have any questions, you may call Mrs. Edith Burden collect at (404) 526-3391.

4  
Thank you for your cooperation.

Sincerely,

*W. W. Finlator*

REV. W. W. FINLATOR, Chairman  
North Carolina State Committee to  
the U. S. Commission on Civil Rights

Enclosures

7. 20425

NORTH CAROLINA STATE COMMITTEE  
TO THE  
U. S. COMMISSION ON CIVIL RIGHTS  
75 Piedmont Avenue, Rm. 362  
Atlanta, Georgia 30303

SURVEY OF EMPLOYERS  
ROBESON COUNTY, NORTH CAROLINA

A. EMPLOYER IDENTIFICATION

1. COMPANY (OR AGENCY) NAME \_\_\_\_\_
2. ADDRESS \_\_\_\_\_  
\_\_\_\_\_
3. PHONE \_\_\_\_\_
4. PERSON ANSWERING SURVEY \_\_\_\_\_
5. TITLE \_\_\_\_\_

B. EMPLOYMENT DATA

Please indicate the number of employees by race and sex in each job category. Report all permanent, temporary, and part-time employees, including trainees, for most recent payroll period.

JOB CATEGORIES*	INDIAN		BLACK		WHITE		OTHER**		TOTAL EMPLOYEES	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
1. Officials and Managers										
2. Professionals										
3. Technicians										
4. Sales workers										
5. Office and Clerical										
6. Craftsmen (Skilled)										
7. Operatives (Semi-skilled)										
8. Laborers (Unskilled)										
9. Service workers										

\*See pages 7 and 8 for description of categories.  
\*\*Oriental, Spanish Surnamed.

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F. JOB REQUIREMENT DATA

I. Please indicate the number and kind of positions with the following educational requirements:

a. College graduate \_\_\_\_\_  
\_\_\_\_\_

b. Technical or Junior College \_\_\_\_\_  
\_\_\_\_\_

c. High school graduate \_\_\_\_\_  
\_\_\_\_\_

d. Junior high school graduate \_\_\_\_\_  
\_\_\_\_\_

e. Basic elementary education \_\_\_\_\_  
\_\_\_\_\_

f. No educational requirements \_\_\_\_\_  
\_\_\_\_\_

II. Please indicate the number and kind of positions requiring passage of a test for employment \_\_\_\_\_  
\_\_\_\_\_

a. Which tests are used \_\_\_\_\_  
\_\_\_\_\_

b. Have the tests been validated? \_\_\_\_\_

c. What is the minimum cut off score for each test? \_\_\_\_\_  
\_\_\_\_\_

G. JOB TRAINING DATA

I. Do you provide job training?      Yes /  /      No /  /





II. Are the following services available to them:

- a. Day care centers? Yes  No
- b. Discounts on firm's products? Yes  No
- c. Recreational facilities? Yes  No
- d. Other (please specify) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

I. CLIENTELE DATA

If possible, please estimate the approximate percentage of your customers or clients for each group:

Indian \_\_\_\_\_

Black \_\_\_\_\_

White \_\_\_\_\_

Please return the completed questionnaire in the enclosed envelope by September 8, 1972. Thank you for your cooperation.

DESCRIPTION OF JOB CATEGORIES

Officials and managers Occupations requiring administrative personnel who set broad policies, exercise over-all responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes: officials, executives, middle management, plant managers, department managers, and superintendents, salaried foremen who are members of management, purchasing agents and buyers, and kindred workers.

Professional Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered nurses, personnel and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.

Technicians Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers and operators, draftsmen, engineering aides, junior engineers, mathematical aides, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians, (medical, dental electronic, physical sciences), kindred workers.

Sales Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and salesmen, insurance agents and brokers, real estate agents and brokers, stock and bond salesmen, demonstrators, salesmen and sales clerks, grocery clerks and cashier-checkers, and kindred workers.

Office and clerical Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors (bill and accounts), messengers and office boys, office machine operators, shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, and kindred workers.

Craftsmen(skilled) Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid foremen and leadmen who are not members of management, mechanics and repairmen, skilled machining occupations, compositors and typesetters, electricians, engravers, job setter (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors and tailoresses, and kindred workers.

Operatives (semiskilled) Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics) plumbers, bricklayers, carpenters, electricians, machinists, mechanics, plumbers, building trades, metalworking trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, deliverymen and routemen, dressmakers and seamstresses (except factory), dryers, furnacemen, heaters, (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor-men, oilers and greasers (except auto), painters (except construction and maintenance), photographic process workers, stationary firemen, truck and tractor drivers, weavers (textile), welders, and flamecutters, and kindred workers.

Laborers (unskilled) Workers in manual occupations which generally require no special training. Perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, gardeners (except farm) and groundkeepers, longshoremen and stevedores, lumbermen, raftsmen and wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

Service workers Workers in both protective and nonprotective service occupations. Includes: attendants (hospital and other institution, professional and personal service, including nurses aides, and orderlies), barbers, charwomen and cleaners, cooks (except household), guards, watchmen and dockkeepers, stewards, janitors, policemen and detectives, porters, waiters and waitresses, and kindred workers.

Apprentices Persons employed in a program including work training and related instruction to learn a trade or craft which is traditionally considered an apprenticeship, regardless of whether the program is registered with a Federal or State agency.

On-the-job trainees:

Production Persons engaged in formal training for craftsmen--when not trained under apprentice programs--operative, laborer and service occupations.

White collar Persons engaged in informal training for official, managerial, professional, technical, sales, office and clerical occupations.

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APPENDIX C:

Correspondence from Pembroke Manufacturing Company



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APPENDIX D:

Correspondence from Converse Rubber Company

ING CO., INC.







ROBESON  
TECHNICAL  
INSTITUTE

58

BOARD OF TRUSTEES

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MAIL ADDRESS • P. O. BOX 98 • ST. PAULS, N. C. 28384  
MAIN OFFICES • B. T. ROAD  
PHONE 738-4241 • AREA CODE 919

PLEASE REPLY TO UNDERSIGNED

M E M O R A N D U M

TO: All Board of Trustee Members  
DATE: September 26, 1972  
FROM: Craig Allen  
SUBJECT: Hearings on Equal Opportunities for American Indians

The enclosed letter explains the action which is being taken in regards to the hearings on equal opportunities for American Indians which is being held this weekend at the courthouse.

Legal counsel and several Board members have advised me to take this action.

If you disagree, please contact me immediately.

CA:lb

Enclosure

# ROBESON TECHNICAL INSTITUTE

## BOARD OF TRUSTEES

GUY P. MCCORMICK	I. J. WILLIAMS, CHAIRMAN	GENE BALLARD
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PLEASE REPLY TO UNDERSIGNED

September 26, 1972

The Reverend W. W. Finlator, Chairman  
 North Carolina Committee to the  
 U. S. Commission on Civil Rights  
 c/o Mrs. Edith Burden  
 U. S. Commissioner on Civil Rights  
 75 Piedmont Avenue, Room 362  
 Atlanta, Georgia 30303

Dear Reverend Finlator:

Your invitation to attend the hearings for equal opportunities for Lumbee Indians arrived in this morning's mail, but due to a previous commitment, I will be unable to attend. Also, it is the opinion of our Board of Trustees that it would not be appropriate for any other employee to discuss this matter as the Board feels that, I should be its spokesman unless one of them could be available to do so.

The Robeson Technical Institute has complied in every respect with all the laws of the United States known to the Board of Trustees, its administration, and faculty; particularly, in regards to human relations both to the letter and to the spirit of the law. To go a step further, the Board of Trustees has adopted an even stricter policy with regard to the promotion of racial unrest which states that any person, student or employee, who is found guilty of the promotion of racial unrest shall be dismissed from the school. This policy is strictly enforced.

Great care is taken in the selection of personnel at Robeson Technical Institute to insure fair and impartial treatment for all races and persons of all national origins.

The Robeson Technical Institute does not discriminate on the basis of race in either its hiring of personnel or its admission of students. We exercise the open door policy in our admission of students and counsel and encourage as many Indian and black students into our programs each year as we can possibly attract. We are as open as it is possible to be in the selection of personnel for employment here. Since January of this year we have hired four full-time instructors who are Indian and one white. Every effort is being made to give equal opportunity to all races.

GENE BALLARD  
 JOHN WILLIE OXFENDI  
 SCOTT SHEPHERD  
 ARNOLD WALKER  
 ST. PAULS, N. C. 28384

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The Reverend W. W. Finlator  
Page Two  
September 26, 1972

If you have any questions which you would like to have answered other than those answered in your survey, please direct them to me by letter, and I will be most happy to respond.

Sincerely,

*Craig Allen*  
Craig Allen  
President

CA:lb

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APPENDIX F:

Equal Employment Opportunity Memorandum to State  
Department Secretaries from Governor Robert W. Scott



STATE OF NORTH CAROLINA  
GOVERNOR'S OFFICE  
RALEIGH 27611

Appendix F

ROBERT W. SCOTT  
GOVERNOR

September 29, 1972

MEMORANDUM

TO: All Department Secretaries

FROM: Governor Robert W. Scott

SUBJECT: *Equal Employment Opportunity in State Government*

It is in the best interest of this State and its economy to make use of the full production capacities and talents of all its citizens, and all citizens deserve every opportunity to participate fully in the dignity of employment.

Moreover, to discriminate because of race, color, religion, sex or national origin in connection with employment is a violation of the Constitution of the United States, the Equal Employment Opportunity Act of 1972, and the policies of this Administration.

To reaffirm the Administration's concern for equal opportunity, I am by this letter directing that employment in every agency, division, and office of State government shall be on a totally fair and impartial basis and that no factors of race, color, religion, sex or national origin are to be considered.

The Office of State Personnel, Department of Administration is charged with the responsibilities of enforcement of this directive through the administration of an Affirmative Action Program.

At my request the attached information has been prepared to guide you in the development of an Affirmative Action Program. You are requested to submit your plan of action to the Office of State Personnel.

**AFFIRMATIVE ACTION PROGRAM  
STATE OF NORTH CAROLINA**

It is a policy of this Administration to provide all applicants for State employment with equal employment opportunities and to provide current employees with training, compensation, promotion and other attributes of employment without regard to race, color, religion, national origin, sex, or age, except where sex or age are essential occupational requirements.

This State's commitment to equal career opportunity requires a continuing program of affirmative action in order to assure that all personnel policies and practices relevant to total employment will guarantee equal opportunities for all minority group persons of the State. Agency heads must assure, through instruction and action, that positive steps are being taken to comply with this policy. Within this context the following material has been prepared to assist you in the development of an affirmative action program design to meet the needs of your agency.

In order to have a clearer understanding of State government's affirmative action objectives, Part I below outlines this Administration's staff assistance as provided through the Office of State Personnel. Other staff resources will be used as needed. Part II is designed to assist you in the development of a specific program to coordinate your efforts with the overall responsibilities of State government.

**PART I**

This Administration recognizes that the citizenry of the State of North Carolina includes a substantial minority group which is not adequately represented in the large number of persons employed by the State.

Therefore, this Administration establishes a program of affirmative action in order to assure that all personnel policies and practices of this State will guarantee equal opportunities for all minority group persons.

The Director of State Personnel will be responsible for staff assistance in the preparation and execution of the Administration's Affirmative Action Program.

The Director of Personnel will conduct periodic surveys to determine whether the Affirmative Action Program is achieving its objectives. Reports of the surveys will be the basis for appropriate action to correct deficiencies and will be furnished to the Governor.

The Director of Personnel will also be responsible for the preparation of other reports on the employment of minorities which may be required by the Governor.

In addition, the Office of State Personnel will include specific activities or programs within statewide personnel administration to facilitate the implementation of the Administration's Program. These include:

**RECRUITMENT**

Serve as the central recruiting and referral agency for the Affirmative Action Program.

Establish an effective communication system with normal recruitment sources and minority-oriented agencies and organizations, including universities, colleges, and technical institutes to encourage them to make referrals of qualified minority applicants.

Prepare and/or assist agencies in the preparation of materials and programs to advertise and promote career opportunities in government, with special emphasis on recruitment and counseling programs to utilize persons with limited skills and training.

Review current selection and placement procedures being used by State agencies with regard to content, reliability, and compliance with Federal and State requirements.

Develop reasonable and realistic changes in the personnel system to assist in the removal of barriers in the employment of disadvantaged persons.

Maintain an Affirmative Action File consisting of applications of all minority group applicants who are qualified for a position within State government, and those applicants whose qualifications have not yet been established.

Increase referral services significantly by the end of 1973 through the computerization of applications, referrals and test results.

Furnish more information through the computerization of vacancies and applicants which will increase our effectiveness in counseling and placement activities.

### POSITION MANAGEMENT

Provide staff assistance to departments through information and consultation in such areas as position or job design, organization analysis, skills identification, and other management activities which will promote the most effective and efficient use of all manpower resources and provide maximum developmental opportunities for State employees.

Train departmental personnel staffs in the technical aspects of position management in order to encourage departments to assume a more active, direct, and continuing role in personnel management responsibility.

Conduct practical research and study of improved methods and systems of position management which assure continued responsiveness to the manpower needs of the State and to equitable management of applicants and employees. Emphasis will be placed on the development of new career patterns, and the evaluation of promotion patterns to broaden areas of consideration and basis for selection.

### TRAINING AND EDUCATION

Provide staff assistance to line agencies in developing training for employees and supervisors for an effective equal employment opportunity program and to ease initial integration of the work force, including:

Assistance in the development of orientation training for all employees in such subjects as human relations, knowledge of different cultures, and sensitivity to work situation conflicts caused by social-economic differences.

Coordinate training with public and private programs to eliminate duplication, maximize use of existing resources, and initiate needed, but unavailable training programs for minority group employees.

Provide continued development and expansion of Cooperative Educational Programs with community colleges, universities, and adult educational resources, encouraging courses and programs in which minority employees or prospective employees may participate.

Administer the Tuition Refund Program and the Educational Leave Program, encouraging minority employees to participate in school courses and to take advantage of educational leave and educational reimbursement plans.

### OTHER STAFF ASSISTANCE

Provide management with current information concerning the interpretations and applications of the Equal Employment Opportunity Act of 1972 and other data related to an effective Affirmative Action Program.

Develop and maintain a skills inventory to aid eventually in the identification of persons for training or promotions.

Provide each agency with periodic statistical information, including: percentages of minority employment by job categories, educational levels, pay grades, etc., and assist agencies in evaluating progress within the agency.

Provide field services to agencies by on-site review and inspection of management practices and procedures to assist in the administration of an effective Affirmative Action Program.

Provide for the hearing of employee appeals by the State Personnel Board in cases of alleged discrimination - assist the employee and management in arranging for such appeals.

## PART II

TOP LEVEL SUPPORT

Each agency head should enunciate and periodically reaffirm an explicit equal employment policy in order to establish and maintain a climate of acceptance.

Each operating agency should assign responsibility and authority for the program to a high level official. He should be prepared to communicate the purposes and goals of the program, to provide needed training, to combat resistance to change, to deal with negative ideas, and to critically assess operations.

Division heads and appropriate supervisors should participate in developing the program and should be responsible for applying it in his work unit and explaining and discussing it with his subordinates. Particular emphasis should be given to avoiding discriminatory practices in the employment process by supervisors of this function, since an inflow of capable minority persons is basic to any equal employment opportunity program.

Agencies should provide group meetings for employees to raise questions concerning the policy, its implications, and its purposes. Agency staff should be informed of the reasons for the equal opportunity program and reassured that no current employee will be adversely affected. A variety of methods of employee-management communication is needed to solve problems as they arise, to provide for an exchange of ideas, and to obtain recommendations for improvements in the policy.

The policy should be publicized internally and externally through such means as speeches, articles, brochures, letters, bulletin boards, employee manuals, house organs, and training sessions.

The policy should be emphasized throughout the minority communities, at professional meetings, before all interested organizations, and with all recruitment sources.

Agencies should obtain assistance from its own employees, other governmental agencies, schools, community businesses, and minority organizations to achieve a productive program.

In addition to the above, it is recommended that in the development of your program, consideration be given to the following efforts identified under major personnel management activities. This is not intended to be all inclusive and not all of the ideas expressed here will necessarily be applicable, but all should be given careful consideration and evaluation.

JOB STRUCTURING

Each agency, in cooperation with the Office of State Personnel, should periodically review and evaluate class specifications to assure that the requirements are job-related. The qualifications required should be the minimum needed for entrance into the class as to education, experience, skills, knowledges, abilities and other requirements rather than desired standards or qualifications attainable only after some experience in the class. More emphasis can be placed on potential for development in many entry classes. Discriminatory or unnecessary restrictions on age, sex, physical characteristics, experience in the particular agency, or in the government, should be reviewed and revised.

Efforts should be made to maximize utilization of scarce human resources, enlarge employment opportunities, and provide improved delivery of government services, through realignment of duties where possible. This may evolve from reorganization of present methods of operation to take into account the skills available in the labor force and to provide needed services effectively.

Trainee classes below the current entrance level and other new classes with duties and minimum qualifications appropriate for all segments of the population should be established when feasible.

Review and evaluation should be made where unnecessary education requirements may exist precluding advancement of subprofessionals to professional or technical jobs which they are capable of performing (after satisfactory experience in the lower-level class supplemented, as appropriate, by training).

RECRUITING

Each agency should develop a coordinated recruitment program with the Office of State Personnel.

Agencies should initiate and maintain communications with minority community leaders to develop mutual understanding of needs. There should be emphasis in these contracts that nondiscrimination is a basic element



of personnel administration. The assistance of leaders from minority groups should be sought in structuring a positive recruitment program. Agency staff should be available to speak before minority groups and to provide counseling on employment opportunities.

Agencies should work with and furnish recruitment literature to organizations which have frequent contacts with minority individuals and which can provide recruitment assistance, such as: clubs, churches, fraternal societies, neighborhood councils, non-profit vocational or educational guidance or training facilities, and recreational associations.

Agencies should establish and maintain continuing relations with schools — secondary, college, business, or specialized which have large numbers of minority group students.

Referrals should be requested from government agencies and programs, such as: State Employment Security Commission, social service departments, public health facilities, vocational rehabilitation agencies, poverty program agencies, including community action programs, organizations providing assistance to selective service rehabilitants, military separation centers, youth boards, parole or correction agencies.

Recruiting directed to minority applicants will be facilitated if agencies will:

- obtain and train recruiters who relate well with the minority group community and can interest applicants in government employment.
- use minority group employees as recruiters.
- supply feedback on successful minority employees to recruitment sources through such means as selected employment case histories, brochures with pictures, news stories, and alumni career directories.
- make job announcements readable and understandable for the educationally disadvantaged among minority groups.
- encourage minority employees to refer their friends.
- utilize appropriate intern, trainee, summer, part-time and cooperative education positions to help keep minority members in school with the long-range goal of preparing them for career positions.
- disseminate information on job opportunities to radio and television stations, newspapers, and magazines with large minority audiences.

### SELECTION AND PLACEMENT

Selection policies and procedures should be developed so as to assure objectively and avoid subjective discrimination and complicated instructions.

Training should be provided for those employees who have the authority to hire including such areas as: provisions of the law; techniques of determining the abilities and attitudes of minority group applicants, some of whom may not be as comfortable in the employment interview situation and may not be able to express themselves as fluently as other applicants.

Selection procedures should give consideration to the whole person, his aptitudes, abilities, interest, educational level, rather than simply one aspect of his personal history, dress, or mannerism.

A follow-up program should be established with minority employees during early employment to assure they are properly placed and trained, encourage co-worker and supervisor to give assistance when needed.

### TRAINING AND EDUCATION

Training for employees and supervisors often is essential to provide a climate of acceptance for an effective equal employment opportunity program and to ease initial integration of new areas of the work force. To supplement existing training, agencies should:

Provide training for the official responsible for the equal opportunity program with persons heading similar programs in other organizations to facilitate the sharing of ideas and knowledge of techniques and

Train all levels of supervisors in their program responsibilities, in problems that may arise in integrating minority employees into the work force, and in possible solutions to these problems;

Conduct orientation training for all employees on such subjects as human relations, knowledge of different cultures, and sensitivity to work situation conflicts caused by social-economic differences;

Develop skills needed by minority staff to compensate for past educational discrimination, to perform adequately, to advance, and to fill positions which manpower planning projections have identified as difficult to fill in the future because of a shortage of trained individuals;

Evaluate training programs, including methods used to select trainees, types of training techniques used, relevancy to the work situation, and progress of graduates;

Establish the basis of selection for training or educational leave in a written policy to help assure that it is objective and not discriminatory.

Provide for training to be:

- established at a practical, appropriate literacy level
- tailored to the individual, to the maximum extent possible
- designed to take into account the trainee's job satisfaction, achievement, motivation, and career goals
- evaluated by improved job performance and by taking into account the reasons for drop-outs.

### WORK ENVIRONMENT

A healthy work environment and atmosphere helps employee productivity and reduces non-work problems. Agencies should assure that:

Physical facilities, job placement and work are not assigned on a discriminatory or segregated basis;

Work assignments are meaningful, contribute to attainment of the organization's goals, and offer opportunities for career advancement to the maximum extent possible;

Employees with appropriate abilities are designated as personal counselors to help new employees adjust to the work environment, where needed;

Employee social, professional, and athletic groups within the agency are stimulated to accept minority group members where there is a reluctance to do so;

Credit unions or other assistance are available to help meet financial needs.

### OTHER PERSONNEL ACTIVITIES

Other important personnel elements to help provide affirmative action include:

Evaluation of promotion techniques for any discriminatory pattern such as supervisory evaluations, oral examinations, written tests, qualification requirements, and seniority; for example, giving major weight for seniority is a non-merit factor and may perpetuate past discrimination.

Participation by qualified members of minority groups on boards or committees concerned with promotions, service ratings, grievances, appeals, and awards;

Maintenance of an exit interview program to find reasons for, and solutions to, any turnover problems among minority staff;

Analysis of reasons given for disciplinary actions, with periodic audits by top management to help assure that no discriminatory situations exist;

Maintenance of a comprehensive grievance and appeal procedure within the agency so that complaints alleging discrimination will be fully explored, an impartial determination made, and appropriate corrective action taken;

Opportunity for employees to discuss individual problems informally outside normal administrative channels and to obtain needed advice and counseling with complete confidentiality;

Review of the performance rating procedure to determine its effectiveness and objectivity in assisting the employee in his individual development.

### PROGRAM EVALUATION

As with other management programs, the equal opportunity program needs goals, target progress dates, and periodic evaluations. Goals and target progress dates will differ according to the circumstances in each agency. Evaluation of operations may result in a conclusion that a greater number of minority group employees should be employed throughout the agency. In other situations, the agency may have acceptable program results overall, but improvements may be needed in certain locations, pay grades, or occupations. Evaluations should result in new updated goals and target progress dates based on the needs of the program.

The prime resource tools in the evaluation process are statistics, interpretive data, and related information. They provide a basis for setting and evaluating objectives when they are weighed in terms of the current situation, past practice, and factors such as manpower supply, the skills and training available among minorities, and other economic and social conditions. In some situations, statistics may be obtained through questionnaires for all or a sample of the work force or applicants, or be maintenance of information in personnel records. In other cases they may be obtained through visual observation. Statistics must be carefully appraised to be meaningful. For example, lack of promotions of minority group individuals may be due to factors such as lack of opportunities for needed training, poor performance or poor performance evaluation methods, and problems in relocation, as well as outright discrimination.

The basis for evaluating the program, establishing objectives, and planning to meet them should be an analysis in depth of all relevant factors. The percentage of minority group individuals in the population of the jurisdiction and in each location where the agency maintains offices should be considered, but data on numbers of available skilled and trained individuals in minority groups for jobs used by the agency, if available, would be much more useful than overall percentage data.

To spotlight the movement of minority group employees in each agency, consideration should be given to the percentage of minority group individuals entering, moving within, and leaving employment in the organization.

A good internal reporting system is essential to the success of the affirmative action program. Records should be kept of the methods tried in the program and any evaluations of their usefulness.