

Equal Employment Opportunity In State And Local Government
New Jersey Advisory Committee

Statement by the New Jersey Advisory Committee to the
United States Commission on Civil Rights

This statement by the New Jersey Advisory Committee to the U.S. Commission on Civil Rights is prepared for the information of the Commission. The recommendations in this statement should not be attributed to the Commission, but only to the New Jersey Advisory Committee.

March 1981

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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, age, handicap, 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; maintenance of a national clearinghouse for information respecting denials of equal protection of the law; and investigations 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 Congress at such times as the Commission, the Congress, or 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 composed of responsible persons who serve without compensation. Their functions under the 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 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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1. Introduction

In November 1979 the United States Commission on Civil Rights (USCCR) began a study of equal employment opportunity for minorities and women and of the Federal affirmative action enforcement process. This study focused on the role, responsibility, and function of the three major enforcement agencies, Equal Employment Opportunity Commission (EEOC), the Office of Federal Contract Compliance Program (OFCCP), and the Office of Personnel Management (OPM). This study involved an analysis of the rules and regulations governing these agencies, interviews with Federal, State, and local officials, and representatives of private industry and advocacy organizations. Between February and April 1980, 10 factfinding meetings were held around the country. 1/

The New Jersey Advisory Committee participated in the national USCCR study and on April 10 and 11, 1980, held a factfinding meeting in Newark. 2/ A major focus of this study was affirmative action in State and local government. Interviews were conducted with numerous State and local officials, representatives of minority and women's groups, and other interested parties. Data including workforce statistics and documents related to affirmative action were gathered and analyzed.

At the factfinding meeting, representatives from the State Department of Civil Service, Department of Environmental Affairs, and the Judiciary were invited to make presentations about their experience with Federal regulations and the implementation of New Jersey Executive Order No. 61. In addition, representatives of the cities of Camden, Jersey City, and Plainfield were also asked to discuss generally their city's affirmative action programs and in greater detail the affirmative action stance of the local police departments. Police departments were targeted because of their visibility in a community, the general concern of minority and women's groups about equitable representation in the department, and the related issue of police-community relations.

The cities all have large minority populations and a recent history of affirmative action activities. They are party to a suit, U.S. v. State of New Jersey, filed by the U.S. Department of Justice charging discrimination against minorities in the fire departments. 3/ Camden, under advice of counsel, refused to allow its affirmative action officer and police representatives to make presentations to the Advisory Committee.

The following statement is based on information gathered prior to and at the factfinding meeting. It will be submitted to the USCCR Commissioners for use in their recommendations to the President and Congress.

2. New Jersey State Government

A. State Non-Discrimination and Affirmative Action Requirements

Discrimination in employment was first prohibited by State law in 1945 when New Jersey enacted its first anti-discrimination law. 1/ Discrimination on the basis of sex and marital status was not specifically mentioned in the 1945 act and this prohibition was added to the amended law in 1970. 2/

In 1965, then Governor Richard J. Hughes issued Executive Order No. 21 prohibiting discrimination in State government. Executive Order No. 14 prohibiting discrimination and requiring all State agencies to take affirmative action was issued by Governor Brendan T. Byrne in December 1974. In October 1977, this order was replaced by Executive Order No. 61, also issued by Governor Byrne.

Executive Order No. 61 enunciates the Federal and State anti-discrimination laws which prohibit discrimination on the basis of "race, creed, color, national origin, age, sex, and physical handicap." 3/ The order further mandates that the 19 departments in the executive office take affirmative action to eliminate job discrimination for minorities, physically handicapped persons, and women. The Legislature and the Judiciary are not subject to the order's requirements; however, except for 1978 and 1979, the Judiciary has voluntarily participated in the program. 4/ The executive order requires that each department appoint at least one full-time affirmative action officer, develop an affirmative action plan with hiring goals and timetables, and "identify existing inequities in hiring, promotion, and all other conditions of employment." The order also charges the Department of Civil Service with reviewing State personnel policies and procedures, including testing and selecting devices and job specifications and making at least semi-annual reports to the Governor. It requires that the Civil Service Department maintain a division of equal employment opportunity and affirmative action (EEO-AA) within the Civil Service Department and an equal employment opportunity advisory commission of 11 members, of whom at least 6 persons must be black, Hispanic, physically handicapped, women, and other minorities. An Hispanic advisory committee was appointed in 1977 to advise the chief examiner and secretary of the Department of Civil Service. It was terminated when the advisory commission was set up because that commission included Hispanic representation. 5/

The hiring goals, according to Executive Order No. 61, must be "reasonably related to the population in the relevant surrounding Labor Market Area." However, the criteria for setting those goals has been a controversial issue in the department. Under Executive Order No. 14, the department used as a standard either the percentage of minorities and females in each occupational category in the State or the percentage of minorities and women of the appropriate working age, whichever of the two was the higher. 6/ The percentage in the age group was generally much higher than the percentage in most occupational categories and was thus used for most jobs. However, one of the reasons for the issuance of a new executive order was that some Federal and State officials believed that the goals established under Executive Order No. 14 were unrealistically high and sometimes ignored altogether. 7/

The criteria established for all occupational categories in the spring of 1980 were the percentage of minority persons and women statewide in the labor force, including those persons listed as unemployed. As indicated in Table A, below, the desired goal for blacks is 10.3 percent, for Hispanics 3.5 percent, for Asians 0.5 percent, and for women 41.6 percent. ^{8/} According to Barbara Anderson, director of the State division of equal employment opportunity and affirmative action, exceptions to these standards would be granted to individual departments and divisions as appropriate; however, requests for such exceptions must be made to the EEO-AA division. She said that the EEO-AA division intended to adjust these standards when EEOC published its recommended standards for hiring goals. However, she said that the representation of minorities and women in specific occupational categories was not an acceptable goal. "We do not use the occupational categories because they tend to perpetuate existing patterns of discrimination," she said. ^{9/}

Table A

Standard for Determining Underrepresentation for New Jersey State Government

| | Male | | Female | | Total | |
|-----------------|-----------|---------|-----------|---------|-----------|---------|
| | Number | Percent | Number | Percent | Number | Percent |
| White | 1,706,327 | 50.7 | 1,178,710 | 35.0 | 2,885,037 | 85.7 |
| Black | 175,634 | 5.2 | 170,638 | 5.1 | 346,272 | 10.3 |
| Hispanic | 75,445 | 2.2 | 42,411 | 1.3 | 117,856 | 3.5 |
| Asian | 8,594 | 0.3 | 8,241 | 0.2 | 16,835 | 0.5 |
| American Indian | | * | | * | | |

*less than 0.1 percent

Source: Labor force data provided by New Jersey Department of Labor and Industry, adapted by the EEO-AA division.

Under Executive Order No. 61, the Civil Service Commission with the concurrence of the Governor and the President of the Civil Service Commission has the authority to use "appropriate sanctions" in cases of noncompliance including but not limited to "placing a moratorium on departmental personnel actions." ^{10/} George Sheats, deputy director of the EEO-AA division, said that the authorized sanctions included withholding of salaries and stopping of hiring. The EEO-AA division negotiates with the appropriate officials in order to bring a department into compliance and, as of December 1980, had never applied sanctions. ^{11/}

B. State Personnel System

The Department of Civil Service and its policymaking body, the Civil Service Commission, administer the personnel policies and procedures for State government.

Responsibility for monitoring and implementing affirmative action is given to the division of equal employment opportunity and affirmative action (EEO-AA); however, several tasks directly related to affirmative action are actually carried out by other divisions such as the examinations division which has reviewed a large number of its exams for bias related to race, ethnicity, and sex. Under Executive Order No. 61, the division has many other responsibilities including the review of Title VII job discrimination complaints filed against State government and the submission of semi-annual reports to the Governor. 12/

During the 1970's the EEO-AA division and other divisions within the Civil Service Department took numerous actions to correct deficiencies in the State personnel system. These actions include the elimination of height and weight requirements as well as the requirement for a high school diploma for most non-professional positions. The division reviewed many job specifications and has in many instances substituted experience for educational requirements such as a master's degree. 13/ It requested affirmative action plans from all departments; however, it did not approve or disapprove those plans.

Many of the EEO - AA division efforts were funded by the U.S. Office of Personnel Management's Intergovernmental Personnel Programs Division (IPPD) which has the authority to provide technical assistance including funding to state and local personnel systems. These grants include funds to evaluate the effectiveness of the division's structure and work; to review job specifications and develop guidelines for the development of minimum non-discriminatory job requirements; to improve the job relatedness of examinations; to develop an affirmative action project for the handicapped; to computerize the EEO data reporting system; and to set up a technical assistance team within the division of personnel management services to respond to requests from local governments on personnel related issues. In addition, IPPD had offered training in equal employment opportunity to approximately 123 State and local employees between 1978 and 1980 and provided literature and technical assistance to the State on a regular basis. 14/

At the factfinding meeting, Barbara Anderson stressed that IPPD provided much needed funds to her division. She said:

It is important to note that IPPD funding has in these instances provided the necessary germination of some of the roots of our existence. With the advent of the decade of the 1980's already characterized by limited resources, it will be essential that funding sources such as IPPD continue to assist us with funds essential for survival. 15/

In 1979, the Civil Service Department commissioned an evaluation of its affirmative action program. This study found that the EEO-AA division had achieved several "significant" accomplishments, although several problems remained. 16/ Among those recommendations issued in the report were that the division establish standards for affirmative action to determine when a State agency is in compliance and sanctions to be used in cases of non-compliance. The report also recommended the hiring of a new director. 17/

Barbara Anderson, a former assistant superintendent of schools in East Windsor, New Jersey, was appointed director of the division of equal employment opportunity and affirmative action in September 1979. Immediately prior to her swearing in, S. Howard Woodson, Jr., president of the State Civil Service Commission, was reported in the press as saying that the State had failed thus far in its affirmative action efforts and promised a "new direction" and increased efforts to implement affirmative action under Ms. Anderson. 18/

As of April 1980, the division staff was comprised of 26 persons, 25 of whom were paid by the State and one of whom was in a Federal program. Of 14 professionals, 1 was a white male, 3 were black males, 1 was an Hispanic male, 4 were white females, 4 were black females, and 1 was a Hispanic female. Of 8 support staff, 2 were white females, 4 were black females, and 2 were Hispanic females. An additional four positions had not been filled. The budget for fiscal '80 was \$447,000.

As of September 1980, 11 more positions were available to the affirmative action office. Six State agencies were requested to each give one position to the office; the Department of Civil Service contributed two positions; and three positions initially funded by the Federal Intergovernmental Personnel Programs Division were included in the EEO-AA division budget. 19/

Although the State had been subject to affirmative action requirements for 6 years Ms. Anderson, at the Advisory Committee's factfinding meeting, described the State affirmative action efforts as still in its "infancy". 20/ She said:

Almost 3 years have passed since the signing of the (new) executive order. During that time, the State of New Jersey has made sporadic progress in affirmative action. Efforts to effectuate equal access to job opportunities have also experienced peaks and valleys. All too often, affirmative action efforts have fallen victim to: 1. budget cuts on the cutting room floor; 2. pilot programs that never became a part of anyone's budget, never receiving followup or follow through; and 3. another priority--always another priority. 21/

Tasks outlined by Ms. Anderson at the factfinding meeting included a review of all State agencies' affirmative action programs to insure that the EEO officers were full-time and had appropriate responsibilities and powers; establishment of new criteria for agency affirmative action plans; continuing systemic changes in the civil service system to improve recruitment, hiring, and promotion; increased technical assistance to State agencies; and establishment of an informal procedure for settling grievances. 22/

Limited reform of the civil service system has been discussed for several years and many groups, particularly women's organizations, have called for the modification of the absolute veterans preference. In the 1979 legislative session, legislation which would have modified the veterans preference and extended the requirements of Executive Order No. 61 to county and municipal governments, was introduced. However, the legislation did not pass. 23/

C. Intergovernmental Personnel Programs Division of the Office of Personnel Management

In addition to providing funds, the Intergovernmental Personnel Programs Division (IPPD) of the U.S. Office of Personnel Management (OPM) has the authority to administer the merit standards, one of which is affirmative action, in State and local agencies receiving funds under a number of Federal programs. ^{24/} As a result of this authority, IPPD conducts regular reviews of State agencies receiving the funds as well as State personnel systems. At the time of the Advisory Committee's study, the IPPD New York regional office with certain exceptions did not monitor affirmative action at the local level because of a lack of staff. ^{25/} In 1979 a new regulation required the Governor of each State to certify that the localities receiving the funds were in compliance with the merit standards, ^{26/} and John Lafferty, regional director of OPM, said at the Advisory Committee's factfinding meeting that IPPD would begin monitoring affirmative action in the local governments after the certification process was completed. ^{27/} IPPD is only one of several agencies monitoring affirmative action at the State and local level; however, in order to narrow the scope of this study, the other Federal agencies were not included in this review.

D. Employment Profile

In June 1980, of 64,965 State employees, 24.9 percent were minority and 50.5 percent were female. Blacks, who made up 21.7 percent of the total, were comparatively well represented; however, Hispanics made up only 2.0 percent of the State government workforce. Minorities and women were concentrated in the lower salary levels and in the non-professional occupational categories, ^{28/} particularly clerical jobs. Minorities made up only 8.1 percent of those earning \$25,000 or more and women made up 17.1 percent of the same salary level. In contrast, minorities made up 39.5 percent and women 77.7 percent of those earning \$10,000 or less. Minorities made up 8 percent of the administrators and 21.1 percent of the office clerical staff. Women made up 17.1 percent of the administrators and 92.7 percent of the office clerical staff. Hispanics were underrepresented to a greater degree than other minorities at all salary levels and job categories, particularly at the higher salary levels and among officials and administrators. For instance, there were only 34 Hispanics (0.5 percent) earning \$25,000 or more. While there were only 15 Hispanic administrators (0.5 percent), there were 247 office clerks (1.8 percent). A complete breakdown by race, ethnicity, and sex for salary levels and occupational category is included in Tables B and C.

Nine agencies employed more than 20 percent minority staff. These agencies were the Departments of State, Civil Service, Labor and Industry, Human Services, Community Affairs, Corrections, Health, Energy, and Insurance. Ten agencies employed less than 15 percent, including the Legislature, the Departments of law and Public Safety, Transportation, Environmental Protection, Higher Education, and the Judiciary. In almost all departments minorities were concentrated in the lower paying, clerical and custodial positions. The Department of Human Services, which had the highest percentage of minority employees (42.7 percent), was an exception in that 14.4 percent of the 451 administrators were minority.

Employment by Race/Ethnicity, Sex, and Salary
1980

| Annual Salary (\$ in Thousands) | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|------------------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|--------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| 1.0-3.9 | 27 | 13 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2.4 | 31.7 | 41 |
| 4.0-5.9 | 36 | 4 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 7.0 | 11.6 | 43 |
| 6.0-7.9 | 483 | 2043 | 489 | 1458 | 57 | 146 | 7 | 35 | 6 | 6 | 46.6 | 77.7 | 4730 |
| 8.0-9.9 | 1025 | 3985 | 583 | 1852 | 77 | 199 | 8 | 39 | 4 | 3 | 35.6 | 78.1 | 7775 |
| 10.0-12.9 | 4363 | 6125 | 1442 | 3366 | 174 | 174 | 25 | 49 | 13 | 10 | 33.4 | 61.7 | 15741 |
| 13.0-15.9 | 4483 | 4426 | 790 | 1696 | 114 | 130 | 31 | 46 | 2 | 4 | 24.0 | 53.6 | 11,722 |
| 16.0-24.9 | 11040 | 4762 | 1143 | 922 | 125 | 79 | 187 | 103 | 20 | 4 | 14.0 | 31.9 | 18385 |
| 25.0 + | 5050 | 936 | 228 | 105 | 19 | 15 | 92 | 55 | 7 | 5 | 8.1 | 17.1 | 6512 |
| Total | 26507 | 22294 | 4676 | 9400 | 566 | 743 | 351 | 327 | 53 | 32 | | | 64949 |
| Percent | 40.8 | 34.3 | 7.2 | 14.5 | 0.9 | 1.1 | 0.5 | 0.5 | 0.1 | 0.0 | 24.9 | 50.5 | 100.0 |

*Due to problems in computerizing the data, the totals of State employees listed by salary are slightly lower than those of employees listed by occupational category. The differences are not significant; however, the occupational category listing is the more accurate.

Source: New Jersey Department of Civil Service

Employment by Race/Ethnicity, Sex, and EEOC Occupational Category
1980

| Job Category | White | | Black | | Hispanic | | Asian | | American Indian | | % Total | | Total |
|---------------------|-------|--------|-------|--------|----------|--------|-------|--------|-----------------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Official/Admin. | 2476 | 454 | 128 | 64 | 11 | 4 | 19 | 20 | 6 | 3 | 8.0 | 17.1 | 3185 |
| Professional | 11042 | 6740 | 920 | 1310 | 184 | 219 | 287 | 177 | 15 | 7 | 14.9 | 40.4 | 20901 |
| Technicians | 2406 | 654 | 208 | 450 | 20 | 11 | 5 | 9 | 1 | 2 | 18.7 | 29.9 | 3766 |
| Protective Services | 2922 | 133 | 679 | 93 | 58 | 0 | 5 | 0 | 6 | 0 | 21.6 | 5.8 | 3896 |
| Paraprofess'l | 1512 | 3316 | 1154 | 4345 | 87 | 218 | 14 | 37 | 6 | 7 | 54.9 | 74.1 | 10696 |
| Office/Clerical | 827 | 10187 | 164 | 2466 | 15 | 232 | 8 | 52 | 1 | 10 | 21.1 | 92.7 | 13962 |
| Skill. Crafts | 2583 | 103 | 379 | 91 | 47 | 2 | 5 | 3 | 4 | 0 | 16.5 | 6.2 | 3217 |
| Service/Maint. | 2749 | 712 | 1045 | 581 | 144 | 57 | 8 | 29 | 14 | 3 | 35.2 | 25.9 | 5342 |
| Total | 26517 | 22294 | 4677 | 9400 | 566 | 743 | 351 | 327 | 53 | 32 | | | 64965 |
| Percent | 40.8 | 34.3 | 7.2 | 14.5 | 0.9 | 1.1 | 0.5 | 0.5 | 0.1 | * | 24.9 | 50.5 | 100 |

Source: New Jersey Department of Civil Service, Division of Equal Employment Opportunity and Affirmative Action

* = Less than 0.1%

Women were represented to a greater degree in most departments; however, they remained concentrated in the lower salary levels. Nonetheless, in the Department of Human Services which had the highest percentages of female employees (69.4 percent), 29.3 percent of the administrators were women. Other departments employing a relatively greater number of female administrators were: Department of Banking (23.8 percent); Health (20.2 percent); Labor and Industry (21.8 percent); Community Affairs (23.8 percent); and Higher Education (27.2 percent). A breakdown is included in Table D.

The State government has made some progress in employing both minorities and women in recent years. The percentage of minorities has increased from 19.2 percent in 1974 to 21.6 percent in 1977 to 24.9 percent in 1980. The percentage of women has increased from 46.2 percent to 47.7 percent to 50.5 percent in the same years. A breakdown for the percentage of minorities and women by year is included in Table E.

Thus, although State government has made some progress in hiring and promoting minorities and women in recent years, both groups are still underrepresented in the highest salary levels and in official and administrative positions. Furthermore, in 1980 (see Table F) the percent of minority administrators decreased from 8.0 percent to 7.8 percent although the total number of officials and administrators increased by more than 500 persons. George Sheats, deputy director of the division of EEO-AA, said that this decline could be explained in part by a reclassification of selected job categories. Several jobs, notably 200 deputy attorney generals, were reclassified from official administrators to professional in 1978. He was unable to explain how the change in classification on that job (which did not have high minority representation) accounted for the decline. 29/

The Advisory Committee looked at two departments within State government in greater detail. The departments selected for this review were the Department of Environmental Protection and the Judiciary.

E. The Department of Environmental Protection

As of June 1980, of 2099 employees in the Department of Environmental Protection (DEP), 4.1 percent were black, 0.5 percent were Hispanic, 2.1 percent were Asian, and 0.2 percent were Native American (See Table G). Approximately 27.3 percent were women. Minorities and women were underrepresented particularly at the higher salary levels and in the administrative and professional categories. Of 183 persons earning \$25,000 or more, 1 or 0.5 percent was black and 5 or 2.7 percent were Asian. None were Hispanic. Eight persons were women, all of whom were white. Of the 755 persons earning between \$16,000 and \$25,000, 9 persons were black, 37 were Asian, 2 were Native American, and 4 were Hispanic. The total minority representation at this level was 6.9 percent. A total of 86 or 11.4 percent were women. Minorities, and to an even greater degree women, were concentrated in the lower salaried levels. Of 276 persons earning \$10,000 or less, 38 or 13.8 percent were minority and 191 or 69.2 percent were women. A more detailed breakdown by salary level is included in Table G. of 103 persons in the official/administrator category only 1 was a minority, and Asian male, and

Employment by Race/Ethnicity, Sex and Department
1980

| Department | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|--------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Judiciary | 502 | 504 | 36 | 112 | 3 | 9 | 0 | 3 | 0 | 2 | 14.1 | 53.8 | 1171 |
| Community Affairs | 273 | 240 | 33 | 74 | 8 | 8 | 3 | 2 | 0 | 1 | 21.1 | 50.6 | 642 |
| Public Advocate | 351 | 246 | 46 | 62 | 3 | 17 | 3 | 0 | 0 | 0 | 18.0 | 44.6 | 728 |
| Public Broadcasting | 107 | 40 | 10 | 4 | 5 | 0 | 0 | 0 | 1 | 0 | 12.0 | 26.3 | 167 |
| Corrections | 2292 | 770 | 807 | 230 | 55 | 16 | 4 | 4 | 7 | 1 | 32.3 | 24.4 | 4186 |
| Insurance | 103 | 88 | 12 | 33 | 0 | 4 | 1 | 0 | 1 | 0 | 21.1 | 51.7 | 242 |
| Higher Education | 3191 | 2705 | 363 | 350 | 68 | 97 | 74 | 37 | 7 | 3 | 14.5 | 46.3 | 6895 |
| Legislature | 166 | 113 | 7 | 8 | 1 | 1 | 2 | 0 | 0 | 0 | 6.4 | 40.9 | 298 |
| Executive | 17 | 36 | 0 | 7 | 1 | 2 | 0 | 0 | 0 | 0 | 15.9 | 71.4 | 63 |
| Law and Public Safety | 4112 | 2084 | 224 | 480 | 46 | 26 | 16 | 15 | 7 | 4 | 11.7 | 37.2 | 7014 |
| Treasury | 1901 | 1474 | 149 | 334 | 12 | 26 | 17 | 31 | 1 | 0 | 14.4 | 47.3 | 3945 |
| State | 61 | 106 | 10 | 68 | 0 | 2 | 1 | 1 | 0 | 1 | 33.2 | 71.2 | 250 |
| Civil Service | 141 | 233 | 32 | 138 | 7 | 12 | 1 | 1 | 0 | 0 | 33.8 | 68.0 | 565 |
| Banking | 92 | 45 | 6 | 2 | 1 | 0 | 3 | 3 | 0 | 0 | 3.9 | 32.9 | 152 |
| Agriculture | 161 | 81 | 7 | 10 | 2 | 2 | 2 | 1 | 0 | 0 | 9.0 | 35.3 | 266 |

Employment by Department (cont'd)

| | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|--------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Defense | 195 | 51 | 37 | 3 | 2 | 1 | 1 | 0 | 1 | 0 | 15.5 | 18.9 | 291 |
| Energy | 178 | 77 | 9 | 32 | 3 | 3 | 8 | 8 | 2 | 0 | 20.3 | 37.5 | 320 |
| Health | 518 | 684 | 91 | 158 | 11 | 20 | 14 | 9 | 0 | 0 | 20.1 | 57.9 | 1505 |
| Labor and Industry | 1681 | 2780 | 221 | 841 | 54 | 113 | 11 | 9 | 4 | 3 | 22.0 | 65.5 | 5717 |
| Environmental Protection | 1441 | 514 | 33 | 52 | 7 | 4 | 41 | 2 | 5 | 0 | 6.8 | 27.3 | 2099 |
| Education | 575 | 744 | 105 | 177 | 12 | 16 | 3 | 5 | 2 | 0 | 19.5 | 57.4 | 1639 |
| Transportation | 4176 | 791 | 464 | 110 | 51 | 4 | 61 | 12 | 7 | 2 | 12.5 | 16.2 | 5678 |
| Human Services | 4145 | 7883 | 1966 | 6115 | 214 | 360 | 85 | 184 | 8 | 15 | 42.7 | 69.4 | 20975 |
| Commissions | 138 | 10 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5.7 | 6.4 | 157 |
| Total | 26517 | 22299 | 4677 | 9400 | 566 | 743 | 351 | 327 | 53 | 32 | | | 64965 |
| Percent | 40.8 | 34.3 | 7.2 | 14.5 | 0.9 | 1.1 | 0.5 | 0.5 | 0.1 | 0.0 | 24.9 | 50.5 | 100% |

Source: New Jersey Department of Civil Service

New Jersey State Government
 Minority and Female Employment

Table E

| Job Category | Number Employees | % Female Employees | | | | % Minority Employees | | | |
|------------------------|---------------------|--------------------|------|------|------|----------------------|------|------|------|
| | | 1974 | 1975 | 1976 | 1977 | 1974 | 1975 | 1976 | 1977 |
| Official/Admin. | 2,452 | 12.1 | 13.5 | 14.0 | 14.8 | 6.7 | 7.5 | 7.4 | 8.0 |
| Professional | 16325 | 34.4 | 34.6 | 36.2 | 36.3 | 9.8 | 10.7 | 11.9 | 12.6 |
| Technicians | 2703 | 31.9 | 31.8 | 34.2 | 34.0 | 20.7 | 20.7 | 22.4 | 21.6 |
| Protective Services | 4196 | 3.8 | 4.1 | 4.1 | 4.6 | 14.9 | 17.4 | 18.2 | 18.3 |
| Paraprofess'l | 8258 | 58.1 | 66.9 | 67.2 | 68.2 | 40.8 | 48.5 | 50.6 | 50.2 |
| Office/Clerical | 13013 | 90.9 | 91.2 | 91.7 | 91.6 | 14.2 | 15.3 | 17.1 | 17.8 |
| Skill. Crafts | 2574 | 2.5 | 4.6 | 4.5 | 4.6 | 8.8 | 13.4 | 13.5 | 13.7 |
| Service/Maint. | 5427 | 17.5 | 21.2 | 20.9 | 21.0 | 17.3 | 24.0 | 25.5 | 27.3 |
| Total/Percent | 54,948 | 46.2 | 46.3 | 74.1 | 47.7 | 19.2 | 20.0 | 21.1 | 21.6 |

Source: New Jersey Department of Civil Service

New Jersey State Government
 Black, Hispanic and Female Administrators
 1977 - 1980

Table F

| | % Blacks | | % Hispanic | | % Minority | % Women | Total |
|-----------|----------|--------|------------|--------|------------|---------|-------|
| | Male | Female | Male | Female | | | |
| 1977 | 4.9 | 1.9 | 0.3 | 0.4 | 8.0 | 14.8 | 2452 |
| Jan. 1980 | 4.0 | 1.9 | 0.4 | 0.1 | 7.8 | 16.2 | 2983 |
| June 1980 | 4.0 | 2.0 | 0.3 | 0.1 | 8.0 | 17.1 | 3185 |

Source: New Jersey Department of Civil Service

Department of Environmental Protection
Employment by Race/Ethnicity, Sex, and Salary
1980

Table G

| Annual Salary (\$ in Thousands) | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|------------------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| 1.0-3.9 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 100 | 1 |
| 4.0-5.9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6.0-7.9 | 32 | 50 | 2 | 4 | 0 | 1 | 0 | 0 | 0 | 0 | 7.9 | 61.8 | 89 |
| 8.0-9.9 | 46 | 109 | 4 | 24 | 1 | 2 | 0 | 0 | 0 | 0 | 16.7 | 72.6 | 186 |
| 10.0-12.9 | 312 | 148 | 11 | 15 | 1 | 1 | 0 | 1 | 3 | 0 | 6.5 | 33.5 | 492 |
| 13.0-15.9 | 262 | 115 | 8 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 4.1 | 31.0 | 393 |
| 16.0-24.9 | 620 | 83 | 7 | 2 | 4 | 0 | 36 | 1 | 2 | 0 | 6.9 | 11.4 | 755 |
| 25.0 + | 169 | 8 | 1 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 3.3 | 4.4 | 183 |
| Total | 1441 | 514 | 33 | 52 | 7 | 4 | 41 | 2 | 5 | 0 | | | 2099 |
| Percent | 68.7 | 24.5 | 1.6 | 2.5 | 0.3 | 0.2 | 2.0 | 0.1 | 0.2 | .0 | 6.9 | 27.3 | 100 |

Source: New Jersey Department of Civil Service

10 or 9.7 percent were white females. Of 822 professionals, 61 were minorities (7.4 percent). Of these, 40 were Asian and only 5 were Hispanic. Of a total of 115 women (14.0 percent), 112 were white. A more detailed breakdown by occupational category is included in Table H.

Nonetheless, these statistics show that the department has made a significant increase in the number of women hired and some increase in the number of minorities hired in the past 2 years. In June 1977, minorities made up 5.8 percent and women 22.2 percent of a work force of 1,662 persons-- in comparison to 6.9 percent minority and 27.3 percent female in 1980. At the professional level, in 1977, minorities made up 7 percent and females 9 percent of the workforce--in comparison to 7.4 percent and 14.0 percent respectively in 1980. 30/

Donald Bridgewater, who developed and implemented an affirmative action program since he was hired in 1977, described two major obstacles to hiring minority and female employees, particularly for the technical positions such as environmental engineer. The obstacles cited were the absolute veterans preference under which a veteran must be hired over a non veteran and the competitive disadvantage of the department's salaries in comparison to private industry. Mr. Bridgewater said that there were not enough minorities and women with the training and/or experience for the DEP engineering-related positions. Those who met the job requirements were frequently hired by private industry, which paid as much as \$4,000 more per year for a starting engineer than State government. Those minorities and women interested in working for State government often lost out to veterans who under the State's absolute veterans preference must be hired over other applicants. 31/

The Department of Environmental Protection issued its first affirmative action plan in 1974 as a result of Executive Order No. 14 and updated the plan in 1975. Following the Executive Order No. 61, the Department of Environmental Protection issued a revised affirmative action plan in 1977 and that plan was revised again in 1979. Mr. Bridgewater said that he would update the plan each year. He also said the results of the 1980 census were necessary to determine an accurate workforce analysis. 32/

The 1979 revised plan designates responsibility for affirmative action to an affirmative action officer, sets requirements for affirmative action in recruitment, placement, promotions, and terminations, and calls for training and upward mobility. In addition, the plan establishes a discrimination grievance system and requires affirmative action on the part of contractors with the DEP. The sanctions available against divisions within the department which fail to take appropriate or corrective affirmative action steps are limited. In such cases, the affirmative action officer reports the failure to the deputy commissioner charged with affirmative action. 33/

Although the affirmative action plan does not contain an analysis of the underrepresentation and utilization of minorities and women or numerical hiring goals and timetables, the 1979 goals or "action steps" call for a semi-annual workforce utilization analysis and the development of percentage

Employment by Race/Ethnicity, Sex, and Occupational Category
1980

| Job Category | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|---------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Official/Admin. | 92 | 10 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1.0 | 9.7 | 103 |
| Professional | 649 | 112 | 12 | 2 | 5 | 0 | 39 | 1 | 2 | 0 | 7.4 | 14.0 | 822 |
| Technicians | 132 | 12 | 4 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 46.0 | 8.7 | 150 |
| Protective Services | 178 | 16 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 1.0 | 8.7 | 196 |
| Paraprofess'l | 44 | 6 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 5.7 | 13.2 | 53 |
| Office/Clerical | 19 | 336 | 4 | 43 | 0 | 4 | 0 | 0 | 0 | 0 | 12.6 | 94.3 | 406 |
| Skill. Crafts | 69 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2.8 | 0 | 71 |
| Service/Maint. | 258 | 22 | 10 | 4 | 0 | 0 | 0 | 1 | 3 | 0 | 6.0 | 9.1 | 298 |
| Total | 1441 | 514 | 33 | 52 | 7 | 4 | 41 | 2 | 5 | 0 | 6.9 | 27.3 | 2099 |
| Percent | 68.7 | 24.5 | 1.6 | 2.5 | 0.3 | 0.2 | 2.0 | 0.1 | 0.2 | 0 | | | |

Source: New Jersey Department of Civil Service

goals for hiring. 34/ At the time of the factfinding meeting, the department had not set hiring goals and Mr. Bridgewater said that he was awaiting guidelines from the State equal employment opportunity and affirmative action division in order to establish such goals. He said that he thought that the previous guidelines based on the number of minorities and women in the labor force were too high and stressed that any such goals should be "realistic" and "achievable." 35/

Mr. Bridgewater has initiated a college recruitment effort in order to attract greater numbers of minorities and women, and particularly minority and female engineers, to the DEP. In the fall of 1979, DEP affirmative action staff visited 7 colleges and universities including Howard University, Georgia Institute of Technology, the University of Puerto Rico (Mayaguez), the City University of New York (CUNY), and Brooklyn Institute of Technology. The staff interviewed 46 minority and female candidates for the engineer trainee position. Of these, 23 took the civil service examination. A total of 162 persons passed the examination including other minorities and women recruited from the Statewide civil service announcement. Of the 34 persons hired, 5 were white women, 1 was a black man, 1 was a Hispanic man, and 6 were Asian men. 36/

The department also has proposed an environmental intern program for minority and female high school students with science related skills. This proposal would allow participants to work full-time while attending college.

F. The Judiciary

In June 1980, of 1,171 persons in the Judiciary, 14.1 percent were minority and 53.8 percent were female. Of the minorities, blacks made up 12.7 percent and Hispanics 1.0 percent. As elsewhere in State government, minorities and women were underrepresented to the greatest degree in the higher salary levels and in the administrative occupational categories. Of the 399 persons earning \$25,000 or more, 9 were minority (2.3 percent) and 44 were women (11 percent). None were Hispanic. Of the 287 administrators, 6 were minority (2.1 percent) and 13 were female (4.5 percent). None were Hispanic. A complete breakdown by race, ethnicity, and sex for occupational categories and by salary level is included in Tables I and J.

The Judiciary has improved its minority employment profile since 1977. At that time, of 827 employees, 10.8 percent were minority and 54.8 percent were women. 37/ The New Jersey Supreme Court issued its first affirmative action plan in 1974 and Sheila Owens, the department's affirmative action officer, developed its most recent plan in 1978. The plan calls for dissemination of the agency's equal employment opportunity policy and plan, recruitment of minorities and women for all job openings, EEO training for supervisors, upward mobility training, a workforce analysis on a regular basis, and other appropriate tasks related to EEO. Its goals and timetables call for efforts to complete the tasks described in the plan within a 5 year period. It does not set numerical hiring goals. 38/

Employment by Race/Ethnicity, Sex and Salary
1980

| Annual Salary (\$ in Thousands) | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|------------------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| 1.0-3.9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4.0-5.9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6.0-7.9 | 7 | 40 | 17 | 27 | 1 | 5 | 0 | 0 | 0 | 0 | 51.5 | 74.2 | 97 |
| 8.0-9.9 | 15 | 62 | 8 | 33 | 0 | 2 | 0 | 0 | 0 | 1 | 36.4 | 81.0 | 121 |
| 10.0-12.9 | 12 | 99 | 0 | 28 | 0 | 0 | 0 | 1 | 0 | 1 | 21.3 | 91.5 | 141 |
| 13.0-15.9 | 18 | 111 | 2 | 12 | 1 | 2 | 0 | 2 | 0 | 0 | 12.8 | 85.8 | 148 |
| 16.0-24.9 | 100 | 152 | 4 | 8 | 1 | 0 | 0 | 0 | 0 | 0 | 4.9 | 60.4 | 265 |
| 25.0 + | 350 | 40 | 5 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 2.3 | 11.0 | 399 |
| Total | 502 | 504 | 36 | 112 | 3 | 9 | 0 | 3 | 0 | 2 | | | 1171 |
| Percent | 42.9 | 43.0 | 3.1 | 9.6 | 0.3 | 0.8 | .0 | 0.3 | .0 | 0.2 | 14.1 | 53.8 | 100 |

Source: New Jersey Department of Civil Service

Employment by Race/Ethnicity, Sex, and Occupational Category
1980

| Job Category | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|---------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Official/Admin. | 269 | 12 | 5 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2.1 | 4.5 | 287 |
| Professional | 75 | 38 | 3 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 5.0 | 33.6 | 119 |
| Technicians | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Protective Services | 2 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 77.8 | 9 |
| Paraprofess'l | 18 | 8 | 0 | 4 | 1 | 1 | 0 | 0 | 0 | 0 | 46.1 | 40.6 | 32 |
| Office/Clerical | 129 | 439 | 26 | 105 | 1 | 8 | 0 | 2 | 0 | 2 | 20.2 | 78.1 | 712 |
| Skill. Crafts | 5 | 0 | 2 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 37.5 | 12.5 | 8 |
| Service/Maint. | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Total | 502 | 504 | 36 | 112 | 3 | 9 | 0 | 3 | 0 | 2 | | | 1171 |
| Percent | 42.9 | 43.0 | 3.1 | 9.6 | 0.3 | 0.8 | 0 | 0.3 | 0 | 0.2 | 14.1 | 53.8 | 100 |

Source: New Jersey Department of Civil Service

At the factfinding meeting, Florence Peskoe, representing the Judiciary, said that the plan did not contain numerical goals. She said that she believed numerical goals were the same as "quotas." 39/ It is the Advisory Committee's opinion that numerical goals are hiring goals in numerical form to be reached by implementing in "good faith" affirmative action tasks such as recruitment; quotas are firm hiring objectives often established by a court and generally achieved by court-ordered changes in normal hiring practices such as ratios for hiring the group found to have been discriminated against.

The plan identifies the following problem areas:

- the "absence of Hispanic employees;"
- underrepresentation of minority employees in unclassified positions, including lawyers and certain court personnel;
- the underrepresentation of minorities in the highest salary levels;
- the concentration of minorities in office/clerical positions; and
- the underrepresentation of women in administrative positions. 40/

At the factfinding meeting, Ms. Peskoe attributed the underrepresentation of minorities among the unclassified to the "limited reservoirs of qualified personnel." 41/ She said that the agency had difficulty in hiring female and to a greater degree minority lawyers and said that the agency was unable to offer salaries competitive with non-State governmental employers.

Another problem identified by Ms. Peskoe is the implementation of affirmative action at the county and municipal levels. Although the Chief Justice of the New Jersey Supreme Court has overall administrative responsibility for all courts in the State, the Judiciary has direct hiring authority only for employees in the State superior court system and selected personnel in the county superior courts. Many personnel in the county courts are still under the county EEO officers. The Judiciary has attempted to obtain employment data and other information on affirmative action in county courts several times; however, Ms. Peskoe said that it was difficult to obtain up-to-date information or implement affirmative action since the county governments retained hiring authority for many positions in the county superior courts. 42/

Judges in the State and county superior courts are appointed by the Governor with the consent of the State Senate and are not within the Judiciary's appointing authority. Nonetheless, because judges are an integral part of the State court system which is administered by the Judiciary, the Advisory Committee collected statistical data on the judges. At the time of the factfinding meeting, of the 242 judges on the State payroll, 232 were white males, 7 were white females, and 3 were black males. An eighth white woman was appointed shortly after the meeting. 43/

G. Summer Youth Program

The Advisory Committee also reviewed employment data for the summer youth program. A preliminary report on the 1980 program indicates that minorities made up 25.3 percent of the participants. Of the minorities, Hispanics comprised only 34 or

2.2 percent of the employees were underrepresented to a greater degree than other minorities in comparison to their representation in the population.

As indicated in Table K, minority participation was very high in several departments including the Department of Agriculture (100 percent as all 3 persons hired were minority), Health (100 percent with one minority person hired) and Civil Service (81 percent with 17 minorities among 21 persons hired). However, the statewide total of all departments shows only 25.3 percent minority. In general, minority representation was higher in agencies employing fewer persons. The Department of Environmental Protection, the agency with by far the single greatest number of persons hired, employed only 60 minorities or 9.4 percent of the 639 persons hired. State Civil Service Department staff said that minorities were underrepresented because the majority of State parks were in rural areas in the southern and coastal parts of the State where the minority population is small.

At the time of the study, data by occupational category or salary level were not available. Female representation in 1980 was 48.3 percent and departments with high percentages of women include Health, Higher Education, Civil Service, Insurance, and Education.

Minority and female representation in the program improved in 1980 in comparison to 1979. In 1979, 22 percent of 315 of the 1,431 participants were minority, 3.3 percent lower than in 1980. Black representation was 19.1 percent, 2.4 percent lower than in 1980. Hispanic representation was 1.2 percent, 1 percent lower than in 1980. Approximately 43.4 percent were women, 4.9 percent lower than in 1980. In 1979, in the Department of Environmental Protection, 4.8 percent of the 601 persons hired were minority and 30.6 percent were women. A breakdown of the 1979 data is included in Table L.

Improving minority participation in the DEP's summer program has been an important goal of the DEP itself and of the State division on equal employment opportunity and affirmative action. The EEO-AA office's final report on the 1979 program states:

The DEP percentage of overall State summer employees has increased also from 31.2 percent in 1977 to 35.2 percent in 1979 to 41.9 percent in 1979. Therefore, whatever happens in this department is crucial to any year's Summer Program. Regretfully, the ethnic/gender hiring trends are not bright. Though total minorities have seen an increase (especially for minority females), this figure is still very low. The profile is still over 95 percent white. And of these white employees, over 70 percent are males. 44/

The same report concludes: "Though it (DEP) has generally improved over the past three years, special efforts are needed in recruitment to effectively change the current low standing." 45/

PRELIMINARY REPORT

AS OF JULY 30, 1980

| DEPARTMENTS | MALES | | | | | | | | | FEMALES | | | | | | | | | COMBINED TOTALS | | | |
|--------------------------|-------|-----|-----|-----|-----|----------|---------|-------|---------|---------|-----|-----|-----|-----|----------|---------|-------|---------|-----------------|---------|-------|--|
| | W | B | H | A | I | MINORITY | | TOTAL | | W | B | H | A | I | MINORITY | | TOTAL | | MINORITY | | M & F | |
| | NO. | NO. | NO. | NO. | NO. | NO. | PERCENT | NO. | PERCENT | NO. | NO. | NO. | NO. | NO. | NO. | PERCENT | NO. | PERCENT | NO. | PERCENT | NO. | |
| AGRICULTURE | | 1 | | | | 1 | 33.3 | 1 | 33.3 | | 2 | | | | 2 | 66.7 | 2 | 66.7 | 3 | 100.0 | 3 | |
| CIVIL SERVICE | | 2 | | | | 2 | 9.5 | 2 | 9.5 | 4 | 15 | | | | 15 | 71.4 | 19 | 90.5 | 17 | 81.0 | 21 | |
| COMMUNITY AFFAIRS | 49 | 4 | 4 | | | 8 | 6.2 | 57 | 44.2 | 46 | 24 | 2 | | | 26 | 20.2 | 72 | 55.0 | 54 | 26.4 | 129 | |
| CORRECTIONS | 12 | 7 | | | | 7 | 15.2 | 19 | 41.3 | 15 | 12 | | | | 12 | 26.1 | 27 | 58.7 | 19 | 41.3 | 46 | |
| EDUCATION | 3 | 2 | | | | 2 | 10.5 | 5 | 26.3 | 10 | 4 | | | | 4 | 21.1 | 14 | 73.7 | 6 | 31.6 | 19 | |
| ENVIRONMENTAL PROTECTION | 554 | 20 | 4 | 3 | 2 | 29 | 4.5 | 583 | 59.9 | 225 | 22 | 6 | 1 | 2 | 31 | 4.9 | 256 | 40.1 | 60 | 9.4 | 639 | |
| HEALTH | | | | | | 0 | 00.0 | 0 | 00.0 | | 1 | | | | 1 | 100.0 | 1 | 100.0 | 1 | 100.0 | 1 | |
| HIGHER EDUCATION | | | | | | 0 | 00.0 | 0 | 00.0 | 1 | 2 | | | | 2 | 66.7 | 3 | 100.0 | 2 | 66.7 | 3 | |
| HUMAN SERVICES | 40 | 19 | 1 | 2 | | 22 | 15.8 | 62 | 44.6 | 59 | 17 | 2 | 1 | | 20 | 12.9 | 79 | 56.0 | 42 | 29.8 | 141 | |
| INSURANCE | 2 | 4 | | | | 4 | 15.4 | 6 | 23.1 | 4 | 15 | | 1 | | 16 | 61.5 | 20 | 76.9 | 20 | 76.9 | 26 | |
| JUDICIARY | 9 | 2 | | | | 2 | 12.5 | 11 | 68.8 | 3 | 1 | 1 | | | 2 | 12.5 | 5 | 31.3 | 4 | 25.0 | 16 | |
| LABOR & INDUSTRY | 25 | 18 | 1 | 1 | | 20 | 16.1 | 45 | 36.3 | 28 | 48 | 3 | | | 51 | 41.1 | 79 | 63.7 | 71 | 57.3 | 124 | |
| LAW & PUBLIC SAFETY | 108 | 29 | 4 | | | 33 | 13.9 | 141 | 58.8 | 67 | 28 | 3 | 1 | | 32 | 13.4 | 99 | 41.6 | 65 | 27.3 | 240 | |
| STATE | 3 | 1 | | | | 1 | 10.0 | 4 | 40.0 | 2 | 4 | | | | 4 | 40.0 | 6 | 60.0 | 5 | 50.0 | 10 | |
| TRANSPORTATION | 33 | 18 | | | | 18 | 19.1 | 51 | 54.3 | 19 | 22 | 2 | | | 24 | 25.5 | 43 | 45.7 | 42 | 44.7 | 94 | |
| TREASURY | 20 | 3 | 1 | | | 4 | 7.1 | 24 | 42.9 | 30 | 2 | | | | 2 | 3.6 | 32 | 57.1 | 6 | 10.7 | 56 | |
| PRELIMINARY TOTALS | 658 | 130 | 15 | 6 | 2 | 153 | 9.8 | 811 | 51.7 | 513 | 219 | 19 | 4 | 2 | 244 | 15.6 | 757 | 48.3 | 397 | 25.3 | 1568 | |
| as of July 30, 1980 | | | | | | | | | | | | | | | | | | | | | | |

Source: New Jersey Department of Civil Service

TABLE 1
SUMMER EMPLOYMENT PROGRAM OF 1979
ETHNIC DISTRIBUTION SUMMARY
BY DEPARTMENT

| DEPARTMENTS | MALES | | | | | | | | | FEMALES | | | | | | | | | COMBINED TOTALS | | |
|---|-------|-----|-----|-----|-----|----------|---------|-------|---------|---------|-----|-----|-----|-----|----------|---------|-------|---------|-----------------|---------|-------|
| | W | B | H | A | I | MINORITY | | TOTAL | | W | B | H | A | I | MINORITY | | TOTAL | | MINORITY | | M & F |
| | NO. | NO. | NO. | NO. | NO. | NO. | PERCENT | NO. | PERCENT | NO. | NO. | NO. | NO. | NO. | NO. | PERCENT | NO. | PERCENT | NO. | PERCENT | NO. |
| AGRICULTURE | | 1 | | | | 1 | 33.3 | 1 | 33.3 | | 2 | | | | 2 | 66.7 | 2 | 66.7 | 3 | 100.0 | 3 |
| BANKING | | | | | | | | | | | | | | | | | | | | | 0 |
| CIVIL SERVICE | | 2 | | | | 2 | 28.6 | 2 | 28.6 | 3 | 2 | | | | 2 | 28.6 | 5 | 71.4 | 4 | 57.1 | 7 |
| COMMUNITY AFFAIRS | 62 | 12 | 1 | | | 13 | 9.2 | 75 | 52.8 | 48 | 15 | 4 | | | 19 | 13.4 | 67 | 47.2 | 32 | 22.5 | 142 |
| CORRECTIONS | 8 | 3 | 1 | | | 4 | 12.1 | 12 | 36.4 | 16 | 5 | | | | 5 | 15.2 | 21 | 63.6 | 9 | 27.3 | 33 |
| DEFENSE | 2 | | | | | 0 | 0.0 | 2 | 40.0 | 2 | 1 | | | | 1 | 20.0 | 3 | 60.0 | 1 | 20.0 | 5 |
| EDUCATION | | | | | | | | | | | | | | | | | | | | | 0 |
| ENERGY | 2 | | | 1 | | 1 | 16.7 | 3 | 50.0 | 1 | 2 | | | | 2 | 33.3 | 3 | 50.0 | 3 | 50.0 | 6 |
| ENVIRONMENTAL PROTECTION | 404 | 10 | 1 | | 2 | 13 | 2.2 | 417 | 69.4 | 168 | 14 | | | 2 | 16 | 2.7 | 184 | 30.6 | 29 | 4.8 | 601 |
| EXECUTIVE - - - OFFICE OF STATE PLANNING | | | | | | | | | | | | | | | | | | | | | 0 |
| HEALTH | 4 | | | | | 0 | 0.0 | 4 | 30.8 | 4 | 4 | | | 1 | 5 | 38.5 | 9 | 69.2 | 5 | 38.5 | 13 |
| HIGHER EDUCATION (CENTRAL OFFICE) | 1 | | | | | 0 | 0.0 | 1 | 11.1 | 5 | 3 | | | | 3 | 33.3 | 8 | 88.9 | 3 | 33.3 | 9 |
| HUMAN SERVICES | 39 | 20 | | 1 | | 21 | 11.4 | 60 | 32.4 | 93 | 29 | 2 | | 1 | 32 | 17.3 | 125 | 67.6 | 53 | 28.6 | 185 |
| INSURANCE | | 4 | | | | 4 | 44.4 | 4 | 44.4 | 1 | 2 | 1 | 1 | | 4 | 44.4 | 5 | 55.6 | 8 | 88.9 | 9 |
| JUDICIARY | 5 | 1 | | | | 1 | 6.3 | 6 | 37.5 | 6 | 3 | 1 | | | 4 | 25.0 | 10 | 62.5 | 5 | 31.3 | 16 |
| LABOR & INDUSTRY | 9 | 5 | | | | 5 | 12.8 | 14 | 35.9 | 12 | 11 | 1 | 1 | | 13 | 33.3 | 25 | 64.1 | 18 | 46.2 | 39 |
| LAW & PUBLIC SAFETY | 105 | 28 | 3 | | | 31 | 13.4 | 136 | 58.9 | 57 | 38 | | | | 38 | 16.5 | 95 | 41.1 | 69 | 29.9 | 231 |
| PUBLIC ADVOCATE | | 2 | | | | 2 | 40.0 | 2 | 40.0 | 1 | 1 | 1 | | | 2 | 40.0 | 3 | 60.0 | 4 | 80.0 | 5 |
| STATE | 1 | | | | | 0 | 0.0 | 1 | 8.3 | 6 | 5 | | | | 5 | 41.7 | 11 | 91.7 | 5 | 41.7 | 12 |
| TRANSPORTATION | 18 | 37 | 1 | 1 | 1 | 40 | 47.6 | 58 | 69.0 | 9 | 16 | | | 1 | 17 | 20.2 | 26 | 31.0 | 57 | 67.9 | 84 |
| TREASURY | 9 | 3 | | | | 3 | 9.7 | 12 | 38.7 | 15 | 4 | | | | 4 | 12.9 | 19 | 61.3 | 7 | 22.6 | 31 |
| OVERALL STATE | 669 | 128 | 7 | 3 | 3 | 141 | 9.9 | 810 | 56.6 | 647 | 157 | 10 | 2 | 5 | 174 | 12.2 | 621 | 43.4 | 315 | 22.0 | 1431 |

In COMBINED TOTAL column, "MINORITIES" includes Blacks (Non-Hispanic), Hispanics, Asians, and American Indians, both male and female.

KEY: "A"=Whites (Non-Hispanic), "B"=Blacks (Non-Hispanic), "H"=Hispanics, "A"=Asians, "I"=American Indians; "M"=Male, "F"=Female

Source: New Jersey Department of Civil Service

At the factfinding meeting, Gregory Vida, who represented the department, described the efforts to change recruitment from the local individual parks to the State level.

We have around 600 summer jobs in our department, as we have traditionally had. 499 of these are allocated to the division of parks and forestry, and previously have been filled at the field level right in the State parks... Through the efforts of the Governor's office as of last year, they have centralized the recruitment for these positions... We will... hopefully be making some very positive steps. 46/

A second goal has been the increased representation of Hispanics in the summer program. The report on the 1979 program concluded:

Though general minority hiring was up this year, and above the population standard, Hispanics were effectively underrepresented in all State agencies. Special measures should be taken to strive to rectify this situation for the future. 47/

Although Hispanic representation improved between 1979 and 1980 by one percent, the percentage remained below Hispanic representation in the State's population.

3. New Jersey Municipal Governments

A. Plainfield

Plainfield, according to the 1970 census, had a total population of 46,867 persons. Of this, 21,559 (46 percent) were black and 1406 (3 percent) were Hispanic. Since the 1970 census undercounted minorities and because a significant number of blacks and Hispanics have moved into the city since 1970, estimates of the current minority population are much higher. According to a Rutgers University study, the city's population is 50 to 53 percent minority and approximately 9 to 13 percent are Hispanic. 1/ Charles K. Allen, Director of Public Affairs and Safety, describes Plainfield as "the center of doughnut, ...surrounded by very affluent suburbs and becoming more and more urbanized." 2/

Plainfield first began to develop an affirmative action program following the riot of 1967. An analysis of the causes of the disturbance showed a lack of communication between key city agencies and the minority community exacerbated by an almost total absence of minority workers in the uniformed services and public works departments. The city council subsequently passed a resolution calling for diligent pursuit of the goal of public employment of minorities commensurate with their numbers in the total city population. 3/

General Employment Characteristics

As shown in Table M, in January 1980 Plainfield employed 534 persons full-time. Of these, 263 (49.3 percent) were white males, 110 (20.6 percent) were black males and 14 (2.7 percent) were Hispanic males. A total of 145 women were employed; 97 (66.9 percent) were black or Hispanic.

Both Alfred E. Smith, director of personnel, and Mr. Allen discussed internal problems in municipal employment. Many entry level jobs are effectively segregated by race and sex and these entry level titles and job descriptions form the base for subsequent promotions and salary levels. Women and minorities tend to enter the system in positions without the same growth potential that white males have in their entry level jobs. Women for instance traditionally enter through clerical positions while men enter in either a management or technical line.

As of January 1980 there was a wide disparity between the wages of minorities and women on one hand and white males. A total of 117 (80.7 percent) women of the 145 working earn \$12,900 or less and 74 (58.7 percent) minority males earn \$12,000 or less. In contrast, 42 (16 percent) white males earn \$12,900 or less while 159 (60.5 percent) earn \$16,000 or more. The police and fire divisions have the highest number of all employees in the \$16,000 and over range and these divisions also have the highest percentage of white male employees. While women (27.2 percent) and minority males (23.6 percent) comprise 50.8 percent of the workforce, they earn less than 40 percent of the total wages available. (Table N)

Table O shows that women are concentrated in the office/clerical job category. In Plainfield, 81 (92 percent) of the 88 persons in this job category are women. The second highest number of women employees are identified as paraprofessionals. Categories with extremely low percentages of women are technicians, protective services, skilled crafts and service/maintenance. Of the 16 administrative positions, 9 are held by white males, 2 by black males, and 5 by women. Minority males make up 71 percent of the service/maintenance employees and 60 percent of the skilled craft positions.

Employment by Race/Ethnicity, Sex and Department

| Department | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|--------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Com. Dev. | 12 | 1 | 1 | 6 | 0 | 0 | 2 | 0 | 0 | 0 | 40.9 | 31.8 | 22 |
| Health | 5 | 4 | 2 | 10 | 1 | 1 | 0 | 0 | 0 | 0 | 60.8 | 65.2 | 23 |
| Pub. Welfare | 2 | 3 | 2 | 9 | 0 | 10 | 0 | 0 | 0 | 0 | 72.4 | 74.9 | 26 |
| Housing | 7 | 3 | 29 | 11 | 0 | 1 | 0 | 0 | 0 | 0 | 80.4 | 29.4 | 51 |
| Fin. Admi. | 17 | 25 | 7 | 22 | 2 | 1 | 0 | 0 | 0 | 0 | 43.2 | 64.9 | 74 |
| Parks & Rec. | 2 | 2 | 3 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 63.6 | 27.3 | 11 |
| Streets | 22 | 1 | 17 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 48.9 | 11.1 | 45 |
| Sanitation | 8 | 0 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 52.9 | 0 | 17 |
| Other | 1 | 0 | 2 | 9 | 10 | 0 | 0 | 0 | 0 | 0 | 92.3 | 76.9 | 13 |
| Police | 88 | 9 | 21 | 7 | 3 | 3 | 0 | 0 | 0 | 0 | 26.0 | 14.3 | 131 |
| Fire | 99 | 0 | 17 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 16.1 | 0.8 | 118 |
| Total | 263 | 48 | 110 | 81 | 14 | 16 | 2 | 0 | 0 | 0 | | | 534 |
| Percent | 49.3 | 9.0 | 20.6 | 15.2 | 2.6 | 3.0 | 0.4 | 0 | 0 | 0 | 41.8 | 27.2 | |

Source: Plainfield City Government

Employment by Race/Ethnicity, Sex, and Salary

| Annual Salary (\$ in Thousands) | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|------------------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| 1.0-3.9 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| 4.0-5.9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6.0-7.9 | 2 | 5 | 4 | 16 | 2 | 6 | 0 | 0 | 0 | 0 | 80 | 77.1 | 35 |
| 8.0-9.9 | 4 | 8 | 20 | 21 | 1 | 6 | 0 | 0 | 0 | 0 | 80 | 58.3 | 60 |
| 10.0-12.9 | 36 | 23 | 41 | 29 | 6 | 2 | 0 | 0 | 0 | 0 | 56.9 | 39.4 | 13.7 |
| 13.0-15.9 | 62 | 7 | 22 | 6 | 5 | 1 | 1 | 0 | 0 | 0 | 33.7 | 13.5 | 104 |
| 16.0-24.9 | 139 | 5 | 20 | 8 | 0 | 1 | 1 | 0 | 0 | 0 | 17.2 | 8.0 | 174 |
| 25.0 + | 20 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13.0 | 0 | 23 |
| Total | 263 | 48 | 110 | 81 | 14 | 16 | 2 | 0 | 0 | 0 | | | 534 |
| Percent | 49.3 | 9.0 | 20.6 | 15.2 | 2.6 | 3.0 | 0.4 | 0 | 0 | 0 | 41.8 | 27.2 | |

Source: Plainfield City Government

In 1980, the police division employed 131 persons. Of 85 sworn officers, 61 (72.7 percent) were white males, 18 (21.2 percent) were black males, and 3 (3.5 percent) were Hispanic males. There were two women, one black, and one Hispanic. One person, a white male earned more than \$25,000. 4/

Affirmative Action Plan

Plainfield has a citywide affirmative action plan which includes a specific section for the police division. While the city plan speaks of legal and moral rights to "equitable representation for all persons," it does not include overall numerical hiring goals and timetables. It is rather the description of a process to be used by city government to act on the needs of individual city departments. Monthly progress reports are required of only those city departments targeted by the affirmative action officer. Each division sets its own goals based on negotiations with the Personnel Department and the affirmative action officer. 5/ As a result of this process, the department of Public Affairs and Safety which includes the police division set a 50 percent goal for minority members. 6/ One problem is that the plan combines both sworn and civilian staff in the same category, mixing sworn officers who are mostly white males and school crossing guards who are predominantly minority and female. This approach thereby increases the percentage of minority representation currently on the force and lowers yearly hiring goals. The city has an affirmative action officer with a staff of four and budget of \$67,000. Mr. Smith serves as the affirmative action officer. 7/

According to Mr. Smith, one factor leading to the underrepresentation of minorities in the workforce is the practice of hiring from outside Plainfield. Plainfield sought from the State and gained the right to use dual lists of eligibles. This method distinguishes eligible applicants living in Plainfield from those living in other areas and enables Plainfield to give local residents priority in interviewing and hiring. This system increased opportunities for residents of Plainfield. Even though the dual lists have increased the pool of eligible minorities, the extremely low turnover rate in public employment has greatly limited the hiring of any new applicants. However, one exception is the police division which has grown from 85 employees (3.0 percent minority) in 1971 to 131 employees (and 26.0 percent minority) in 1981. 8/

Both Mr. Smith and Mr. Allen stressed that realistic goals and expectations are key to a successful program. Mr. Smith, speaking of the police division hiring goals, said:

(While a 50 percent goal)....
may have merit,...it is impossible,
very improbable that any workforce
 in the city of Plainfield in the next
 90 years would ever have 50 percent
 minorities. 9/

Part of this problem is simply mathematics. Because of the low turnover rate of 1 or 2 persons per year, it would take 25 to 50 years to increase minority representation on a 130 member force to 50 percent if the city hired only minorities. Since the city will necessarily hire persons of all racial and ethnic backgrounds, it will take even longer to raise the minority representation to half of the force, Mr. Allen said. A second and equally significant problem is the

Employment by Race/Ethnicity, Sex and Occupational Category

| Job Category | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|---------------------|-------------|------------|-------------|-------------|------------|------------|------------|----------|----------|----------|-------------|-------------|------------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Official/Admin. | 9 | 2 | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 31.2 | 31.2 | 16 |
| Professional | 53 | 8 | 11 | 11 | 1 | 3 | 2 | 0 | 0 | 0 | 31.5 | 24.7 | 89 |
| Technicians | 39 | 2 | 9 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 24.1 | 9.3 | 54 |
| Protective Services | 126 | 0 | 32 | 1 | 4 | 1 | 0 | 0 | 0 | 0 | 23.2 | 1.8 | 164 |
| Paraprofess'l | 2 | 3 | 5 | 15 | 2 | 11 | 0 | 0 | 0 | 0 | 86.8 | 76.3 | 38 |
| Office/Clerical | 5 | 33 | 0 | 48 | 2 | 0 | 0 | 0 | 0 | 0 | 56.8 | 92.0 | 88 |
| Skill. Crafts | 19 | 0 | 29 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 60.0 | 0 | 50 |
| Service/Maint. | 10 | | 22 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 71.4 | 0 | 35 |
| Total | 263 | 48 | 110 | 81 | 14 | 16 | 2 | 0 | 0 | 0 | | | 534 |
| Percent | 49.3 | 9.0 | 20.6 | 15.2 | 2.6 | 3.0 | 0.4 | | | | 41.8 | 27.2 | |

Source: Plainfield City Government

resistance to such change on the part of administrative staff. According to Mr. Allen:

...we issue a goal and we say we want 50 percent. I have't discovered in 7 years one way to get a police chief or public works superintendent to accept that fact... and if he or she makes it difficult for the minorities to perform, you'll be bringing them in the front door pursuant to policy, (and) you'll be cutting them out the back door. 10/

In addition to the problem of entry positions is the question of promotion. Again referring to the police division, he said:

As I indicated, most of our local residents and most of our minorities came on the force within the last 5 or 6 years. Their chances of succeeding on the promotional examination are somewhat remote... because we don't have that large turnover. 11/

Mr. Allen suggested developing a statewide pool of qualified minority applicants for higher ranking positions.

In his summation Mr. Allen called for stronger Federal, State and local commitment to affirmative action laws. He said:

...I would ask you to not only encourage the establishment of firm affirmative action policies and goals, but to make the penalties very severe for those who deliberately evade them. 12/

B. Camden

According to the 1970 census, Camden had a population of 102,550 persons. Of this, 40,116 or 39.1 percent were black and 6,153 (6 percent) were Hispanic. However, current population estimates project much higher minority representation. Ray Jones, vice chairman of the Camden Citizen's Coalition, while researching a study on municipal employment, found data that shows the city has a population that may be 60 to 75 percent minority. 13/

In recent months the affirmative action focus has been the construction industry. The Camden County Citizen's Coalition has filed suit against the U.S. Veteran's Administration (V.A.) and the city of Camden over the lack of minority representation at the construction site of the V.A. hospital. At the time of the factfinding meeting the city was considering an affirmative action ordinance for construction projects and passed such an ordinance in October 1980. In addition, the fire department is party to a Justice Department suit against 12 cities in the State.

General Employment Characteristics

The city employed 1,051 people full-time as of January 1980. This workforce was composed of 678 (64.5 percent) white males, 193 (18.4 percent) black males, and 26 (2.5 percent) Hispanic males. There were in addition, 74 (7.0 percent) white women, 66 (6.3 percent) black women and 12 (1.1 percent) Hispanic women (Table P). Data submitted by the city show clear groupings of employees by race, ethnicity, and sex in specific job categories and departments and as a result of salary levels. With the exception of three white males who earned \$5,900 all of the 55 people at this level were minority and/or female.

Of the 280 persons paid \$8,000 - \$12,900, 200 were minorities or women. Seventy percent (126) of all women were found at this level. In contrast, 50 percent of all white males earned between \$16,000 and \$24,000. (See Table Q)

An analysis of job categories shows similar disparities between minorities, women, and white males. Women comprised 87.5 percent of the office/clerical force, and minorities comprised 55 percent and 61 percent respectively of the skilled crafts and service maintenance positions. White males made up approximately 70 percent of the administrative, professional, technical, and protective service job categories. The segregation by job category is illustrated clearly in the city's financial administrative office. Of 90 people employed full-time, 54 percent were women. There were 40 (44 percent) women employed in the office/clerical category and 24 (66 percent) white males employed as officials or professionals. 14/The department also employed 109 people other than full-time. While 88 (81 percent) were minorities or women, white males held 66 percent of the official/administrative positions. 15/The single largest part-time employment category for black males (55 percent) was service maintenance and the single largest for women was office/clerical (55 percent). 16/ (Table R)

Police and Fire Department

The police (364 persons) and Fire Departments (312 persons) are the single largest employers in municipal government. In January 1980, the Police Department employed 80 (21.9 percent) black males, 10 (2.8 percent) Hispanic males,

Full-Time Employment by Race/Ethnicity, Sex, and Department

| Department | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|-------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Fin. Adm. | 36 | 24 | 5 | 20 | 1 | 3 | 0 | 1 | 0 | 0 | 33.3 | 53.3 | 90 |
| Streets & Highway | 28 | 1 | 22 | 2 | 4 | 0 | 0 | 0 | 0 | 0 | 49.1 | 5.3 | 57 |
| Public Welfare | 1 | 4 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 44.4 | 77.8 | 9 |
| Fire Prot. | 280 | 1 | 30 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 9.9 | .64 | 312 |
| Police | 257 | 12 | 80 | 5 | 10 | 0 | 0 | 0 | 0 | 0 | 26.1 | 4.7 | 364 |
| Health | 8 | 6 | 6 | 6 | 2 | 1 | 0 | 0 | 0 | 0 | 51.7 | 44.8 | 29 |
| Housing | 17 | 6 | 1 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 23.3 | 40.0 | 30 |
| Com. Dev. | 8 | 8 | 0 | 3 | 1 | 0 | 0 | 0 | 1 | 0 | 23.8 | 52.3 | 21 |
| Util. & Trans. | 16 | 2 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 14.3 | 9.5 | 21 |
| San. & Sewage | 14 | 0 | 34 | 1 | 1 | 2 | 0 | 0 | 0 | 0 | 73.1 | 5.8 | 52 |
| Other | 13 | 10 | 12 | 19 | 6 | 6 | 0 | 0 | 0 | 0 | 65.1 | 53.0 | 66 |
| Total | 678 | 74 | 193 | 66 | 26 | 12 | 1 | 0 | 0 | 1 | | | 1,051 |
| Percent | 64.5 | 7.0 | 18.4 | 6.3 | 2.5 | 1.1 | .001 | 0 | 0 | .001 | 28.3 | 14.6 | |

Source: Camden City Government

Employment by Race/Ethnicity, Sex, and Salary

| Annual Salary (\$ in Thousands) | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|------------------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| 1.0-3.9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 4.0-5.9 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| 6.0-7.9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| 8.0-9.9 | 1 | 19 | 3 | 23 | 1 | 7 | 0 | 0 | 0 | 1 | 60 | 90 | 55 |
| 10.0-12.9 | 79 | 47 | 61 | 25 | 9 | 4 | 0 | 0 | 0 | 0 | 31.1 | 33.7 | 225 |
| 13.0-15.9 | 249 | 6 | 36 | 13 | 7 | 1 | 0 | 0 | 1 | 0 | 14.1 | 6.4 | 313 |
| 16.0-24.9 | 336 | 2 | 90 | 4 | 9 | 0 | 0 | 0 | 0 | 0 | 23.4 | 1.3 | 441 |
| 25.0 + | 10 | 0 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 28.6 | 7.4 | 14 |
| Total | 678 | 74 | 193 | 66 | 26 | 12 | 1 | 0 | 0 | 1 | | | 1,051 |
| Percent | 64.5 | 7.0 | 18.4 | 6.3 | 2.5 | 1.1 | .001 | | 0 | .001 | 28.3 | 14.6 | |

Source: Camden City Government

Employment by Race/Ethnicity, Sex, and Occupational Category

| Job Category | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|---------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Official/Admin. | 15 | 0 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 28.6 | 9.5 | 21 |
| Professional | 134 | 14 | 23 | 15 | 6 | 3 | 1 | 0 | 0 | 0 | 24.5 | 16.3 | 196 |
| Technicians | 69 | 1 | 19 | 2 | 5 | 0 | 0 | 0 | 0 | 0 | 27.1 | 3.1 | 96 |
| Protective Services | 393 | 0 | 84 | 3 | 8 | 0 | 0 | 0 | 0 | 0 | 19.4 | .6 | 488 |
| Paraprofess'l | 11 | 7 | 1 | 6 | 0 | 1 | 0 | 0 | 0 | 0 | 30.7 | 53.8 | 26 |
| Office/Clerical | 12 | 52 | 2 | 37 | 0 | 8 | 0 | 1 | 0 | 0 | 42.9 | 87.5 | 112 |
| Skill. Crafts | 9 | 0 | 7 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 55.0 | .0 | 20 |
| Service/Maint. | 35 | 0 | 53 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 60.9 | 1. | 92 |
| Total | 678 | 74 | 193 | 66 | 26 | 12 | 1 | | 0 | 1 | | | 1,051 |
| Percent | 64.5 | 7.0 | 18.4 | 6.3 | 2.5 | 1.1 | .001 | | 0 | .001 | 28.3 | 14.6 | |

Source: Camden City Government

and 17 (4.7 percent) women. The minority males were employed in three categories (professional, technician, services) in similar proportion to the employment of white males. Women, however, were primarily found in the office/clerical position (82 percent). Of the 244 sworn officers, 57 (23.3 percent) were black males and 7 (2.0 percent) were Hispanic males. 17/ There were 3 black female officers. Almost all males in the Police Department (332 or 95.7 percent) are paid \$16,000 or more. Of the four people who earn \$10,000 or less, 3 are minority males. Most women in the police department (14 or 82.3 percent) earn between \$8,000 and \$12,900. 18/

The Fire Department employs 30 (9.6 percent) black males and 2 women out of a total of 312 people. Because of the few numbers of minorities and women statistical analysis is not significant.

Affirmative Action Plan

Although the city has an affirmative action plan, it has not been made available to the Advisory Committee for review. Mr. Jones, of the Camden Citizen's Coalition, said that the plan was not disseminated to the public. He said that he had obtained a copy of the plan only after making it clear that it necessary he would take legal action. 19/ According to Mr. Jones, the plan does not contain goals and timetables and does not require a full-time affirmative action officer. 20/

The Advisory Committee experienced other difficulties in obtaining information from Camden. The Committee first requested employment statistics and the affirmative action plan from the city's affirmative action officer in December 1979. The city did not respond to the request. In March, the Committee issued by certified letter an invitation to Camden officials to discuss the city's affirmative action program at the Advisory Committee's April 1980 factfinding meeting. Again, there was no response. The Advisory Committee was subsequently informed that the city's corporation counsel had advised the officials not to attend the factfinding meeting. In June another request for employment statistics and the affirmative action plan was sent by certified letter to the mayor. Again, there was no response. Finally, in late August, following repeated telephone calls, the employment statistics but not the affirmative action plan were forwarded to the Committee.

At the factfinding meeting, Mr. Jones suggested that, in order to establish an affective local affirmative action process, funds be earmarked from each Federal grant program to be used by local advocacy groups to monitor affirmative action compliance by the municipal government. 21/ He said that the Federal government must set the model for State and local government to follow and the effective Federal monitoring would lead to effective local affirmative action. 22/

C. Jersey City

Jersey City had, according to the 1970 census, a population of 260,350 people; 20.9 percent were black and 9.1 percent were Hispanic. The significant minority undercount in the 1970 census coupled with an influx of minorities in recent years indicate the city now has a much larger minority population. Sgt. Glenn Cunningham, of the Jersey City Police Department, estimates that the minority population is as large as 50 percent. 1/

In January 1978 the city council adopted an ordinance which called for an equal opportunity plan in the city code. When the city failed to implement this ordinance, the local chapter of the National Organization for Women, following repeated requests to city government, petitioned the area office of the U.S. Department of Housing and Urban Development (HUD) to withhold community development block grant funds until a satisfactory plan was developed. The city council finally approved the plan in January 1980, authorized the position of affirmative action officer in February, and established an affirmative action advisory committee in March.

General Employment Characteristics

In January 1980, Jersey City employed 2,302 persons full-time and 1,703 persons part-time. Of the full-time employees, 1,937 (84.1 percent) were white males, 144 (6.3 percent) were black males, and 43 (1.9 percent) were Hispanic males. Of the 176 (7.6 percent) females employees, 25 were minority women (Table S).

An analysis of wage levels shows only 59 (2.6 percent) of 2,302 full-time employees earning less than \$10,000. The great majority (2,168) earn between \$10,000 and \$24,900. However, while 39.7 percent of the women and minorities earn \$16,000 - \$24,900, 94.7 percent of white males earn at this level. Of the 75 salaries over \$25,000, 69 are held by white males and 4 by white women. There are 1 black male, and 1 Hispanic male, but no minority females at that level (Table T).

Affirmative Action Plan

The Jersey City affirmative action plan follows HUD guidelines in developing a 5-year timetable for establishing a city workforce that is representative of the city population as a whole. The goal is 21 percent for black employees and approximately 9 percent for Hispanic employees. The goal for women is 50 percent based on population data.

Although several advocacy groups participated in the development of the city affirmative action plan, the version approved in city council was still criticized. First, persons interviewed described the following problems with the goals in the affirmative action plan: 1. the use of the 1970 census is inadequate because it fails to account for the minority undercount and the recent influx of minorities into the community; and 2. the use of the current representation of minorities and women by occupational categories leads to very low interim goals for many categories and tends to perpetuate discriminatory patterns. According to Theodore Freeman, executive director of the Hudson County Urban League, these problems make the projected employment goals virtually meaningless. 2/ At the factfinding meeting, in response to the criticism, Thornton Smith, personnel director, said that he had followed the HUD guidelines

Jersey City (Full Time) by Race, Sex, and Department

| Department | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|--|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Financial Adm. | 42 | 63 | 4 | 6 | 2 | 0 | 0 | 0 | 0 | 0 | 10.3 | 59 | 117 |
| Streets/High ways | 192 | 10 | 33 | 2 | 8 | 0 | 0 | 0 | 0 | 0 | 17.5 | 4.9 | 245 |
| Public Welfare Natural Resource Health | 54 | 63 | 16 | 13 | 2 | 2 | 1 | 1 | 0 | 0 | 23.0 | 51.9 | 152 |
| Police | 944 | 6 | 63 | 0 | 23 | 0 | 0 | 0 | 0 | 0 | 8.3 | 6 | 1036 |
| Fire | 679 | 3 | 27 | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 4.9 | .04 | 717 |
| Housing Com. Dev. | 26 | 6 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 8.6 | 20. | 35 |
| Total | 1937 | 151 | 144 | 22 | 43 | 2 | 2 | 1 | 0 | 0 | | | 2,302 |
| Percent | 84.1 | 6.6 | 6.3 | 1.0 | 1.9 | .09 | .09 | .04 | | | 9.3 | 7.6 | |

Source: Jersey City Government

| Annual Salary (\$ in Thousands) | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|------------------------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| 1.0-3.9 | | | | | | | | | | | | | |
| 4.0-5.9 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 4 |
| 6.0-7.9 | 5 | 4 | | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 77.8 | 77.8 | 15 |
| 8.0-9.9 | 24 | 9 | 3 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 17.5 | 27.5 | 40 |
| 10.0-12.9 | 168 | 59 | 39 | 10 | 9 | 0 | 1 | 0 | 0 | 0 | 20.6 | 24.0 | 288 |
| 13.0-15.9 | 118 | 33 | 18 | 5 | 12 | 1 | 0 | 1 | 0 | 0 | 19.7 | 21.3 | 188 |
| 16.0-24.9 | 1549 | 42 | 79 | 4 | 18 | 1 | 1 | 0 | 0 | 0 | 6.0 | 2.8 | 1694 |
| 25.0 + | 69 | 4 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2.7 | 5.3 | 75 |
| Total | 1937 | 151 | 144 | 22 | 43 | 2 | 2 | 1 | 0 | 0 | | | 2302 |
| Percent | 84.1 | 6.6 | 6.3 | 1.0 | 1.9 | .09 | .09 | .04 | | | 9.3 | 7.6 | |

Source: Jersey City Government

for determining goals. 3/

Second, persons interviewed criticized the lack of a full-time affirmative action officer independent of the personnel system. Persons interviewed said it would be difficult for the city personnel director, who was the affirmative action officer at the time of the factfinding meeting, to function effectively as the affirmative action officer and the city official responsible for implementing personnel policies. They called for an independent affirmative action office outside of the personnel office. 4/ In part, as reaction to this criticism the city council in February 1980 authorized the position of affirmative action officer in the office of the Business Administrator.

Police Department

In January 1980, the Police Department employed, 1,036 people. Of these, 1,029 were sworn officers. There were 938 (91.2 percent) white males, 62 (6.0 percent) black males and 23 (2.2 percent) Hispanic males. There were only six women, all of who were white among the officers. According to Sergeant Cunningham, there was one black lieutenant, 4 black sergeants, and one Hispanic sergeant included in the totals above. Of 34 persons earning \$25,000 or more, all were white males. 5/ Table U

In February 1980, the Jersey City International Minority Police Council (IMPAC) and the Hispanic Law Enforcement Association filed complaints with the Law Enforcement Assistance Administration (LEAA) and the Federal Office of Revenue Sharing alleging discriminatory practices in promotion in the Police Department. According to these organizations, of 179 persons promoted in 1979, none were black, Hispanic, or female. They also charged that minorities were excluded from high status assignments. Furthermore, the suit charges that the inclusion of school crossing guards in the Police Department affirmative action plan gives an inaccurate picture of minority and female employment in the department. 6/

The Police Department has an affirmative action plan as mandated by its grant with LEAA. This plan, entitled Project MORE, calls for extensive recruitment in the minority community, support for minorities and women who sign up to take the civil service test, and monitoring of promotions, transfers, and resignations. Although the plan has no numerical goals, the department adheres to the citywide goal of 30 percent minority representation. 7/ Overall responsibility for affirmative action is given to a deputy chief; however, the actual implementation of the plan is carried out by Sergeant Cunningham, head of the community relations division, who has a staff of seven officers.

Fire Department

The other single largest employer in municipal government is the Fire Department. The department is currently under court order to hire minorities and non-minorities in equal numbers. Of a total of 717 people, 685 are firefighters employed in protective services. Of those, there are 33 minority males, of whom 26 (3.8 percent) are black, and 7 (1.0 percent) are Hispanic. There are 3 white women employed; 2 in service maintenance and one as an administrator. 8/ Persons interviewed criticized the fire department director for

Table U

Jersey City: Occupational Categories by Race and Sex

| Job Category | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|---------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Official/Admin. | 13 | 7 | 2 | 1 | 2 | 1 | 1 | 0 | 0 | 0 | 29.7 | 33.3 | 27 |
| Professional | 24 | 35 | 0 | 5 | 0 | 1 | 1 | 0 | 0 | 0 | 10.6 | 62. | 66 |
| Technicians | 67 | 20 | 5 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 7.4 | 23.4 | 94 |
| Protective Services | 1590 | 6 | 88 | 0 | 30 | 0 | 0 | 0 | 0 | 0 | 6.9 | .4 | 1714 |
| Paraprofess'l | 2 | 1 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 70.0 | 80.0 | 10 |
| Office/Clerical | 17 | 77 | 3 | 8 | 1 | 0 | 0 | 0 | 0 | 0 | 11.3 | 80.2 | 106 |
| Skill, Crafts | 84 | 1 | 16 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 17.4 | .01 | 103 |
| Service/Maint. | 140 | 4 | 30 | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 20.9 | 2.2 | 182 |
| Total | 1,937 | 151 | 144 | 22 | 43 | 2 | 2 | 1 | 0 | 0 | | 7.6 | 2,302 |
| Percent | 84.1 | 6.6 | 6.3 | 1.0 | 1.9 | .09 | .09 | .04 | | | 9.3 | 7.6 | |

Source: Jersey City Government

Table V

Jersey City Employment Through Federal Grants by Race, Sex, and Department

| Job Category | White | | Black | | Hispanic | | Asian | | Other | | % Total | | Total |
|---------------------|-------|--------|-------|--------|----------|--------|-------|--------|-------|--------|----------|--------|-------|
| | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Minority | Female | |
| Official/Admin. | 5 | 1 | | | | | | | | 1 | 14.3 | 28.6 | 7 |
| Professional | 5 | 6 | 3 | 2 | 3 | 1 | | | | 1 | 47.6 | 47.6 | 21 |
| Technicians | 73 | 29 | 31 | 34 | 7 | 7 | 3 | 2 | | | 45.2 | 38.7 | 186 |
| Protective Services | 7 | 3 | 5 | 4 | | 1 | | | | | 50.0 | 40.0 | 20 |
| Paraprofess'l | 6 | 13 | 6 | 6 | 1 | | | | | | 40.0 | 59.0 | 32 |
| Office/Clerical | 8 | 67 | 1 | 25 | 2 | 7 | | | | 1 | 92.8 | 90.1 | 111 |
| Skill. Crafts | 8 | 2 | 3 | | 1 | | | | | | 28.6 | 14.3 | 14 |
| Service/Maint. | 122 | 89 | 118 | 86 | 27 | 29 | 13 | 13 | 1 | 6 | | | |
| Total | 234 | 210 | 167 | 157 | 41 | 45 | 16 | 16 | 1 | 8 | | | 895 |
| Percent | 26.1 | 23.5 | 18.7 | 17.5 | 4.6 | 5.0 | 1.8 | 1.8 | .1 | .8 | 50.4 | 48.7 | |

Source: Jersey City Government

a lack of commitment to affirmative action. In addition the president of the firefighters' union was specifically cited for a statement to the press stating that blacks should play basketball and whites should fight fires. 9/

Employment Through Federal Programs

Jersey City was the only locality which submitted separate EEO 4 data on employment through Federal programs such as Community Development, CETA, and SLEPA. While minority males (25.1 percent) and women (48.7 percent) were employed at higher rates than for other city employment, minorities and women were concentrated in lower-salary non-professional positions. They hold 75.8 percent of all the service maintenance jobs but only 2 women and no minority males are employed in the 7 official/administrative positions. White males (73 or 39.2 percent) are the single largest group employed as technicians in a pool of 186 workers. The total of all females workers is 72. Women outnumbered men in only one job category; 90.1 percent of the clerical/office positions were held by women.

It is also significant to note that of the 895 positions available under these programs, 56 percent were in low salaried service/maintenance positions considered to have little opportunity for advancement or long term employment. 10/ While there were no data available on salary lines or length of time that a person worked during the year, data on occupational category indicated that women and minorities employed through the Federal grant programs in Jersey City probably earned significantly less salary on the average than white males. (Table V)

The efforts of the city Police and Fire Departments and all other municipal police departments must be viewed within the context of the State civil service system. Testing is carried out by the State Civil Service Department and appointments are made from a list according to designated ranking. Armed forces veterans have full preference. The city Police and Fire Departments have no control over hiring and can not even conduct personal interviews.

According to Sergeant Cunningham, because of civil service examination and selection procedures, "it would take 20 years using traditional methods to improve the situation." 11/ He also felt strongly that the Federal agencies responsible for monitoring had to perform more effectively if city officials are to implement affirmative action programs effectively.

Findings and Recommendations

Although State nondiscrimination laws have been in effect for 35 years and State affirmative action requirements in place for 6 years, the State and municipal governments have made only limited progress in achieving meaningful equality of employment opportunity for minorities and women. Low turnover in many positions coupled with static or shrinking public budgets limit the number of new positions available at any particular time. Low seniority for women and minorities hinders advancement and entrenched bureaucratic resistance to change limits effective affirmative action efforts. Coupled with these problems is the fact that other public and private employers compete for minority and female employees, often in order to meet Federal regulations. In the 1979 legislative session, the legislature failed to pass a civil service reform act, which would have modified the veterans preference and extended the State affirmative action requirements to the local level. The absolute veterans preference remains a major barrier to equal employment opportunity, particularly for women.

A. State Government

At the State level, in the first 2 years of the new Executive Order No. 61, data indicate that the affirmative action process was not effective. Although there were small increases in overall employment of minorities and women, the number of minority administrators actually declined while the number of such positions increased by more than 500. In 1980, although blacks were represented in the total State workforce equal to their representation in the total labor force, they were underrepresented in the official/administrative category and at the higher salaried levels. Blacks made up only 6 percent of the officials and administrators and only 3.2 percent of those persons earning more than \$25,000. In contrast, blacks made up 30.4 percent of those in service maintenance and 51.4 percent of the paraprofessional positions. Hispanics were underrepresented to an even greater degree. They made up only 2 percent of the entire workforce, 1.5 percent less than their representation in the population, and were underrepresented in most job categories. Women were concentrated in the lower salaried office/clerical and paraprofessional positions. Although women made up 50.1 percent of the total workforce, they made up 92.7 percent of the office/clerical positions and 74.1 percent of the paraprofessional positions. However, they comprised only 17.1 percent of the official and administrative positions.

Minority women appear to suffer the "double jeopardy" of being minority and female and, for instance, black women held only 2 percent and Hispanic women only 0.1 percent of the official and administrative jobs.

The State's mechanisms to promote affirmative action include the division of equal employment opportunity and affirmative action and an EEO advisory committee. Under the previous director, the division did not approve or disapprove departmental affirmative action plans and never applied sanctions for non-compliance. Its effectiveness appeared to be limited. It is too soon to measure the effectiveness of the division under the new director. The issuance of strong hiring goals for State government as well as the increase in personnel in the EEO-AA division are indicators of renewed commitment of affirmative action on the part of the State's leaders. The contribution of the Federal Office of Intergovernmental Personnel Programs Division appears to be significant in terms of financial as well as technical assistance.

In both the Department of Environmental Protection and the Judiciary, minorities are underrepresented to an even greater degree than in other departments. Women are significantly underrepresented in the Department of Environmental Protection and among officials and administrators in the Judiciary. Both departments face problems of recruiting adequate numbers of minorities and women for positions with specialized educational requirements such as engineering or law and of offering salaries which are not competitive with private industry. The Department of Environmental Protection has initiated an aggressive college recruitment program which has already had successes. The Judiciary faces a number of additional problems particularly at the county level. Because the county courts have not been totally integrated into the State system, many county personnel are not within the jurisdiction of the State personnel system and are not subject to the Judiciary's affirmative action program. Furthermore, the Judiciary's affirmative action plan is weak in that it does not contain hiring goals. Although not within the control of the Judiciary itself, the underrepresentation of minorities and women among judges remains of particular concern to the Advisory Committee. A judicial system in which the judges and policy makers are overwhelmingly white male and a disproportionate number of defendants are minority can be perceived to be inherently biased.

B. Municipal Governments

While each of the three cities reviewed in the Advisory Committee's study has an affirmative action plan, efforts to achieve the goals of those plans have been limited. The plans call for minorities and women to be employed in city government in numbers commensurate to their representation in either the workforce or the population as a whole. None of the three cities hire minorities and women in a proportion equal to their representation in the population.

Plainfield has had an affirmative action plan in place for several years and shows on the whole, the greatest level of success with bringing minorities and women into city government. Minorities make up 41.8 percent and women 27.1 percent of the workforce. While minorities and women remain concentrated in lower paying, nonprofessional positions, the existence of a full-time affirmative action staff and an effective plan shows a clear official commitment to solving the problems of discrimination in employment.

Jersey City after a several year delay approved an affirmative action plan in January 1980 as a result of several factors including aggressive community pressure and the intervention of the U.S. Department of Housing and Urban Development. The city had not hired an affirmative action officer at the time of the factfinding meeting. The plan had goals and timetables related to specific occupational categories of the workforce. Critics argue strongly that effective goals must be linked to population or broader workforce statistics.

Camden, which has a full-time affirmative action officer, appears to have significant problems related to equal employment opportunity for women and minorities. Despite repeated requests, the city's affirmative action plan was not made available to the Advisory Committee. On the advice of legal counsel, Camden officials did not participate in the factfinding meeting.

The existence of affirmative action plans/processes in each city is no guarantee of a rapid movement toward hiring significant numbers of minorities and women. The Advisory Committee believes a full-time, independent staff is vital in any effort to improve the representation of minorities and women in the workforce.

The three cities employ a total of 3,887 persons full-time. Of these, 2,878 or 74 percent were white males, 447 or 11.5 percent were black males, and 83 or 2.1 percent were Hispanic males. Employment patterns for the three cities were similar despite their difference in size. An analysis by occupational category and salary in the largest (Jersey City - 2,302) to the smallest (Plainfield - 534) shows similar profiles for minorities and women when compared to white males. Approximately 77 percent (49) of the jobs in the category official/administrators were held by males and 80 percent (270) of the professional/technician jobs were held by males. Approximately 86.3 percent (264) of the office/clerical jobs were held by women. These 264 women comprised 55.7 percent of the total female employees. In contrast, women held only 1.2 percent of the skilled craft and service maintenance positions. In two of the three cities minority males comprised between 60 percent and 70 percent of the service maintenance workers. In Jersey City minority males comprised 20.9 percent of the service maintenance workforce but only 9 percent of the total workforce.

An analysis of salary levels by race, sex, and ethnicity shows that white males hold a greater percent of the higher paying jobs than their representation in the governments. However, of all employees earning less than \$10,000 (213), there were 32 (15.2 percent) white males. Females comprise 60.1 percent of the total earning below \$10,000. Of all employees earning more than \$13,000 (3,140), 2,552 (81.3 percent) were white males and 145 (4.7 percent) were females. In the highest salary range this difference is even more pronounced with women and minorities combined comprising just 11.6 percent (13 of the 112 employees at this range).

One approach available to cities concerned about meeting affirmative action goals is the creative use of the employment opportunities created by Federal funds. Many Federal grants impose affirmative action requirements on recipients and these monies often provide an opportunity to employ minorities and women in significant numbers and in positions of responsibility. Only Jersey City reported employment under Federal grants as a separate category on their EEO-4 submissions. (It can be assumed that the other cities included this data on Federal positions in the statistics of the individual departments). The Jersey City data clearly showed that in Federally funded programs minorities and women were hired in greater numbers than in those jobs directly supported by city tax levy funds. However, an analysis by job category and race/sex/ethnicity showed the same pattern as was evident in the employment profiles of the three cities as a whole. Minorities and women were concentrated in the non-professional, clerical, and maintenance jobs.

City representatives present at the factfinding meeting made clear their commitment to affirmative action but voiced serious concerns about the role of Federal agencies. They called for a more active Federal role in monitoring Federally funded programs and Federally mandated affirmative action regulations.

Recommendations to the Federal Government

1. Despite the new regulation requiring the Governor of each State to certify that the county and municipal systems receiving grant-in-aid funds are in compliance with the merit system, the Intergovernmental Personnel Programs Division (IPPD) of the U.S. Office of Personnel Management (OPM) should aggressively monitor county and municipal affirmative action efforts in grant-in-aid programs under their jurisdiction. Additional funds should be requested to carry out this activity.
2. IPPD/OPM should continue the assistance provided to the New Jersey Department of Civil Service.
3. Other Federal agencies such as the U.S. Department of Housing and Urban Development providing categorical grants to the localities which are not monitored by IPPD should aggressively monitor compliance of their grantees with the program's affirmative action requirements.
4. The Equal Employment Opportunity Commission should require each municipality to report employment through Federal programs such as CETA, CDBG, and LEAA on a separate EEO-4 report in order to better monitor local use of Federal funds in promoting affirmative action.

The Governor

1. The Governor should recommend legislation extending the requirements of Executive Order No. 61 to county and municipal governments.
2. The Advisory Committee recognizes the importance of the veterans preference. Nonetheless, the Governor should recommend legislation to modify the absolute veterans preference. The legislation should be separate from the legislation recommending so as not to block the passage of one or the other.
3. The Governor should indicate the State's continued commitment to affirmative action by recommending increase of funds for the Civil Service Department, earmarked specifically for the EEO-AA division.
4. The Governor should give particular attention to the underrepresentation of minorities and women among judges and should establish a judicial search committee with the special mandate to identify and recruit minority and female nominees for judgeships. This committee should include equitable minority and female representation.
5. The Governor should recommend legislation authorizing the President of the Civil Service Commission to evaluate all officials with hiring authority on their effort to further affirmative action and that their advancement within the system be related to their hiring record.

Civil Service Commission

1. The President of the Civil Service Commission should review all State policies related to the testing and hiring of uniform service personnel at the local level for bias based on race, ethnicity, and sex.

Division on Equal Employment Opportunity and Affirmative Action

1. The director of the EEO-AA division should set a firm deadline for the submission of affirmative action plans for all departments. It should establish sanctions for failures to meet this deadline and to achieve the goals stated in the plans.
2. Upward mobility should be given top priority by such measures as increased training for minorities and women in dead end jobs, creation of career ladders, particularly between office/clerical and professional positions, etc..
3. The EEO-AA division should continue its efforts to increase minority and female participation for the summer employment program. Particular attention should be given to the underrepresentation of Hispanics throughout the program and to the underrepresentation of all minorities in the Department of Environmental Protection.

The Judiciary

1. The Chief Justice of the New Jersey Supreme Court, who has overall administrative responsibility for all courts in the State should issue an administrative directive requiring all judicial units in the State including the Judiciary and the county and municipal courts which retain hiring authority to take affirmative action. The Supreme Court should issue administrative instructions setting standards for the affirmative action plans and establishing a monitoring system for all judicial agencies at the State, county, and municipal level.
2. The Judiciary's affirmative action plan should be revised to include specific numerical hiring goals for minorities and women and timetables for achieving those goals.
3. The Judiciary should pursue a more aggressive recruitment policy including onsite visits to colleges and law schools. Particular attention should be given to recruiting minority and female law graduates as clerks, interns, and other positions requiring a law degree.

To the Municipalities

1. Each city should maintain a full-time affirmative action officer and adequate support staff. This unit should be independent of the personnel office and have a direct line to the mayor or chief operating officer of the city. The affirmative action officer of each city should make semiannual progress reports on the city's employment profile and affirmative action program. Such reports should be made available to the public
2. Each city should take full advantage of Civil Service Commission's rules and regulations which would permit local preference options in hiring. This is particularly important in Camden in relation to uniformed services.
3. Each city should evaluate their upward mobility programs to take advantage of minority and female personnel currently on staff. If there is no such program, one should be established within the next 6 months.

4. Announcements of municipal jobs should be widely distributed to minority and female organizations and the municipalities should provide assistance to local organizations to prepare applicants for civil service examinations. Each city should aggressively recruit minorities and women in management level jobs in all municipal departments.

5. All affirmative action plans extant in these cities, including the plans of local boards of education and specific city departments, should be evaluated and revised in light of the 1980 census.

6. In Jersey City, numerical hiring goals based on minority and female representation in broad occupational categories, and realistic timetables should be established.

7. Camden, if it has not already done so, also should immediately establish achievable numerical goals and timetables in its plan.

8. In anticipation of an administrative directive from the State Supreme Court, each municipal court should immediately establish and implement an affirmative action program which includes achievable numerical goals and timetables.

9. Given the critical nature of police-minority relations, all cities should seek to recruit more minority applicants for their police departments. Camden, in particular, should review the efforts of both Plainfield and Jersey City in recruiting minorities for their police departments. Steps also should be taken to increase female participation in the departments.

Chapter 1

1. U.S., Commission on Civil Rights (USCCR), a report on the Commission project is forthcoming.
2. USCCR, New Jersey Advisory Committee, "Transcript of the Factfinding Meeting on Affirmative Action," April 10 and 11, 1980, Newark, N.J.. A copy of the transcript is available at the USCCR Eastern Regional Office, 26 Federal Plaza, Room 1639, New York, N.Y..
3. U.S. v. State of New Jersey, D.C.N.J., C.A.M.O. 77-2054 (1980)

Chapter 2

1. N.J.S.A. 10:5 - et seq. (1945).
2. P.L. 1970, c. 80.
3. New Jersey, Executive Department, Executive Order No. 61, p. 1 (hereafter cited as Executive Order No. 61).
4. Sheila Owens, affirmative action officer, the Judiciary, interview in Trenton, New Jersey, February 19, 1980 (hereafter cited as Owens interview).
5. George Sheats, deputy director, division of equal employment opportunity and affirmative action, New Jersey Department of Civil Service, interview in Trenton, New Jersey, February 19, 1980 (hereafter cited as Sheats interview).
6. Ibid.
7. U.S. Commission on Civil Rights (USCCR), New Jersey Advisory Committee, "Transcript of the Factfinding Meeting on Affirmative Action," April 10 and 11, 1980, Newark, New Jersey, Vol. II, pp 80-82, 106 (hereafter cited as N.J. Transcript).
8. Barbara Anderson, director, division of equal employment opportunity and affirmative action, New Jersey Department of Civil Service, letter to USCCR, September 3, 1980.
9. Barbara Anderson, telephone interview, August 20, 1980 (hereafter cited as Anderson interview).
10. Executive Order No. 61, p.4.
11. George Sheats, telephone interview, January 14, 1981.

12. Executive Order No. 61, p. 3. It should be noted, however, that from 1978 - 79, discrimination complaints were referred to the division on civil rights in the Department of Law and Public Safety. The EEO/AA division resumed investigation of such complaints in the spring of 1980.
13. Sheats interview.
14. N.J. Transcript, Vol. 11, pp. 60 - 62.
15. Ibid., Vol. II, p. 99.
16. N.J., Department of Civil Service, "Evaluation of Equal Employment Opportunity and Affirmative Action Program," by Harvey C. Johnson, undated, p. 9.
17. Ibid., pp. 5 - 6.
18. The Star Ledger, Newark, New Jersey, "Civil Service Chief Says State Plan Fails to Deliver on Affirmative Action," September 5, 1979.
19. Anderson interview.
20. N.J. Transcript, Vol. II, p. 102.
21. Ibid., Vol. II, p. 95.
22. Ibid., Vol. II, pp. 102 - 106.
23. A 1675 (1979).
24. The Intergovernmental Personnel Act of 1970, as amended, Public Law No. 91-648 § 202, 84 Stat. 1912 (1971)
25. N.J. Transcript, Vol. II, p. 93. Also Sally Williams, chief, IPPD, New York Regional Office, interview, January 10, 1980, New York, New York.
26. 6 C.I.R. § 900. 610.1 (1979)
27. N.J. Transcript, Vol. II, pp. 78 - 80.
28. Throughout this report occupational categories as defined by EEOC are used.
29. Sheats interview and N.J. Transcript, Vol. II, pp. 110 - 11.
30. Donald Bridgewater, DEP EEO officer, statement submitted to the New Jersey Advisory Committee, USCCR, at its factfinding meeting, April 10, 1980, p. 1.
31. Donald Bridgewater, affirmative action officer, New Jersey Department of Environmental Protection (DEP), interview in Trenton, New Jersey, March 11, 1980 (hereafter cited as Bridgewater interview).

32. Ibid.
33. N.J., DEP, Affirmative Action Plan, Revised 1979, pp. 3 - 10. (hereafter cited as DEP APP). It is interesting to note, under the Department of Environmental Protection's affirmative action plan sanctions applied to State grant recipients and consultants with the State Department of Environmental Protection who fail to take affirmative action are more severe. In those cases, the department may "cancel, terminate or suspend" a contract.
34. DEP AAP, p. 11.
35. Bridgewater interview.
36. Donald Bridgewater, letter to USCCR, March 21, 1980.
37. New Jersey Department of Civil Service data.
38. N.J., Judiciary, Affirmative Action Plan, pp. 10 - 38 (hereafter cited as Judiciary AAP).
39. N.J. Transcript, Vol. I, p. 106.
40. Judiciary AAP, p. 48 - 49.
41. N.J. Transcript, Vol. I, p. 101.
42. Ibid., Vol. I, pp. 115 - 116.
43. Ibid., Vol. I, p. 93.
44. New Jersey Department of Civil Service, division of equal employment opportunity and affirmative action, "State of New Jersey Summer Employment Program of 1979," undated, p. 13 (hereafter cited as Summer Employment Program Report).
45. Summer Employment Program Report, p. 5.
46. N.J. Transcript, Vol. II, pp. 153 - 154.
47. Summer Employment Program Report, p. 5.

Chapter 3

Plainfield

1. U.S., Commission on Civil Rights (USCCR), New Jersey Advisory Committee "Transcript of Factfinding Meeting on Affirmative Action", April 10 and 11, 1980, Newark, New Jersey, Vol. II p. 198 (hereafter cited as N.J. Transcript).

2. Ibid., p. 199.
3. Ibid., p. 165.
4. Equal Employment Opportunity Commission, (EEOC), EEO-4 Data submitted to the New Jersey Advisory Committee at its factfinding meeting, April, 1980.
5. N.J., Plainfield Department of Personnel, Affirmative Action Plan, pp. 3-4.
6. N.J. Transcript, p. 167-68.
7. Ibid., p. 172.
8. Ibid., p. 197.
9. Ibid., p. 168.
10. Ibid., p. 169.
11. Ibid., p. 185.
12. Ibid., p. 192.

Camden

13. U.S., Commission on Civil Rights (USCCR), New Jersey Advisory Committee "Transcript of Factfinding Meeting on Affirmative Action", April 10 and 11, 1980, Newark, New Jersey, Vol. II, p. 203 (hereafter cited as N.J. Transcript).
14. EEOC, EEO-4 data, submitted by Ted Caston, affirmative action officer, City of Camden, letter to Ira Krause, USCCR staff, August 19, 1980.
15. Ibid.
16. Ibid.
17. Most sworn officers are reported under protective services with the possible exception of higher ranking officers. Lacking complete data from Camden, the Advisory Committee lists persons in the protective service category as sworn officers.
18. Ibid.
19. N.J. Transcript, Vol. II, p. 202.
20. Ibid., p. 204.
21. Ibid., pp. 212-13.
22. Ibid., p. 201.

Jersey City

23. U.S., Commission on Civil Rights (USCCR), New Jersey Advisory Committee "Transcript of the Factfinding Meeting on Affirmative Action," April 10 and 11, 1980, Newark, New Jersey, Vol. II, p. 241 (hereafter cited as N.J. Transcript).
24. Theodore H. Freeman, executive director, Urban League, Hudson County, interview in Jersey City, New Jersey, March 7, 1980 (hereafter cited as Freeman interview).
25. N.J. Transcript, p. 237-38.
26. Letter from Hudson County Urban League to Jersey City Council President Cuprowski, dated January 2, 1980.
27. EEOC, EEO-4 data, submitted to the New Jersey Advisory Committee at its factfinding meeting, April 11, 1980 (hereafter cited as Jersey City EEO-4 data).
28. Sgt. Glenn Cunningham, Jersey City Police Department, interview in Jersey City, New Jersey, March 7, 1980 (hereafter cited as Cunningham interview).
29. Ibid.
30. Jersey City EEO-4 data.
31. Jersey City Journal, February 19, 1980.
32. Jersey City EEO-4 data.
33. Cunningham interview.

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