

ORIGINAL

HEARING BEFORE THE NEVADA ADVISORY COMMITTEE
TO THE UNITED STATES COMMISSION
ON CIVIL RIGHTS

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RE: IMPACT OF CONSENT DECREES)
ON EMPLOYMENT OPPORTUNITIES IN)
THE HOTEL/CASINO INDUSTRY)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Taken on Friday, August 28, 1987

At 9:30 o'clock a.m.

At 2832 East Flamingo Road

Las Vegas, Nevada

Reported by: Anna Maria Rodriguez, C.S.R. #188

1 APPEARANCES:

2 For the Committee:

ELIZABETH C. NOZERO,
Chairperson

3 MORSE ARBERRY

4 SHELLEY BERKLEY

5 SUSAN L. DELUCA

6 MARVIN SEDWAY, O.D.

7 RICHARD TETREULT

8 MARGO PISCEVICH

9 For the U.S.

10 Commission Western

11 Regional Division:

THOMAS V. PILLA, Civil Rights
AnalystUnited States Commission on
Civil Rights

Western Regional Office

9 3660 Wilshire Blvd. #810

Los Angeles, CA. 90010

10

11 Also Present:

GARY GOWAN

12 REVERAND JESSE SCOTT

OTTO MERIDA, ESQ.

13 G. BUDD RAMSEY

PAT BENZENBOWER

14 JOSEPH LINNERT

DENNIS KIST, ESQ.

15 GLORIA BROWN

THERESA FAY BUSTILLOS

16 PAUL COHEN

17

I N D E X18 SpeakerPage

19 Rev. Jesse Scott ✓

5

20 Craig McCall ✓

21

21 Union Panel

37

22 Theresa Bustillos

93

23 Otto Merida

123

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1 MS. NOZERO: The meeting of the Nevada
2 Advisory Committee to the United States Commission on
3 Civil Rights will now come to order.

4 My name is Elizabeth Nozero, I'm the
5 chairperson of the Nevada Advisory Committee. The
6 other members of the committee in attendance this
7 morning are Morse Arberry, Shelley Berkley, Marvin
8 Sedway, Margo Piscevich and Richard Tetreault. Also
9 with us today is Thomas Pilla, staff of the
10 Commission's Western Regional Division.

11 The Advisory Committee receives
12 information and makes recommendation to the
13 Commission in areas which the committee or any of its
14 subcommittee are authorized to study.

15 The commission on civil rights is an
16 independent agency of the United States Government,
17 established by congress in 1957 and re-authorized in
18 1983.

19 I would like to emphasize that this is
20 a fact-finding meeting and not an adversary
21 proceeding. Individuals have been invited to come
22 and share information with the committee. Each
23 person who will participate has voluntarily agreed to
24 meet with the committee.

25 Since this is a public meeting the

1 press and radio and television stations, as well as
2 individuals, are welcome to attend. Persons meeting
3 with the committee, however, may specifically request
4 that they not be televised. In this case we will
5 comply with their wishes.

6 We are also concerned that no
7 defamatory material be presented here today. In the
8 unlikely event that this situation should develop, it
9 will be necessary to call this to the attention of
10 the person making the statements and request this in
11 their action that such information will be stricken
12 from the record if necessary.

13 We will now proceed with our agenda. I
14 believe the first speaker that we had listed on the
15 agenda was Mr. Gary Gowen, who is not with us this
16 morning. It's my understanding that Mr. Gowen was
17 invited to speak because he had anticipated at one
18 time intervening in the original consent decree.

19 But since he's not here we'll go on to
20 our next speaker who is present, I understand.
21 Reverend Jesse Scott for the National Association for
22 the Advancement of Colored People.

23 Reverend Scott? Do you have any
24 opening statements that you'd like to make, or would
25 you just prefer that the committee ask you questions?

1 How would you like to handle your appearance this
 2 morning?
 3 ^{Jesse} REV. SCOTT, ^{NAACP, Las Vegas chapter.} Well, I'll ~~make an opening~~
 4 ~~statement, and then after that I'll be open for~~
 5 ~~questions. First of all, I want to say that we're~~ ^{The NAACP is}
 6 ~~happy that the~~ ^{ADVISORY} ~~committee is meeting here today for~~
 7 ~~the purposes of listening to various testimony and~~
 8 ~~reporting it back to the appropriate agencies for the~~ ^{Federal}
 9 ~~federal government that might address some of the~~
 10 ~~issues ^{raised.} pertaining here. I really wish that I had the~~
 11 ~~basic intelligence to make a definitive report to you~~
 12 ~~today, but I can't. The reason I can't make one is~~
 13 ~~because the information is not available to the NAACP.~~

14 ~~I'm speaking about the consent decrees~~
 15 ~~of 1971 and 1981, the one in 1971 having to do with~~
 16 ~~bringing in a certain percentage of blacks into about~~
 17 ~~23 categories of the Strip hotels, ^{and} ~~mainly those~~~~
 18 ~~categories had to do with the tokens, as well as the~~
 19 ~~consent decree of '81 that had to do with Spanish~~
 20 ~~speaking people and women.~~

21 ~~To me, this is~~ ^{the EEOC has} ~~a great disservice that~~
 22 ~~the federal government does through EEOC, to set in~~ ^{the}
 23 ~~motion through a federal court order that there are~~ ^{the community believe}
 24 ~~certain things will be done and ^{would} ~~certain things will~~ ^{were}~~
 25 ~~be expected, and then raise the hopes and aspirations~~

1 and anticipation of people ^{were raised,} and then have those hopes
2 dashed because there is no reports forthcoming.

3 So in the absence of having definitive
4 reports to say exactly what ^{the impact or the} ~~has happened with the~~
5 consent decree ^{has been} we are left in an area of doubt, ^{with} ~~and~~
6 lack of information and lack of understanding.

7 Therefore, we can't intelligently say ^{whether} the ~~consent~~
8 ~~decree of 1971~~ ^{Consent Decree} that ~~was~~ signed by Judge Foley ^{met its} ~~said~~

9 ^{change} that ~~there would be,~~ for every third ~~person~~ or fourth
10 person that ~~would be~~ hired in the gaming industry in
11 23 categories ^a ~~would be~~ black ^{would also be hired} until they reached 12

12 and a half percent. Once they reached 12 and a half
13 percent, ^{to report that} that ~~they would not have to continue~~ ^{if they}
14 ^{and} maintain ^{ed} their percentage for a period of time ^{category.}

15 ~~certain~~

16 ^{the} But ~~nobody,~~ EEOC, the federal courts
17 and no one else has come forth and told us whether or
18 not the hotels named under the decree have
19 substantially complied with the mandates of that
20 decree, ~~so~~ ^{we} don't know.

21 ~~And many of us~~ feel that the whole
22 situation has turned out to be just a revolving door,
23 ~~where~~ people are brought in and maintained for a
24 certain period ^{or} of quarter and they're let out, and
25 ~~some,~~ others brought in and paper is pushed and ~~paper~~

1 ~~is~~ followed and nobody knows exactly what happened.
 2 To me, that kind of information should be made
 3 available so we wouldn't have to guess, ~~about~~. We
 4 ~~would know~~. We don't have that information,
 5 therefore we can't say what they have or have not
 6 done, ~~and we would just like to have that.~~

7 We'd like to see somebody make a
 8 recommendation that Judge Foley ~~would~~ take a look at
 9 the decree that he signed in 1971, and since then has
 10 sort of forgotten about it. I think ~~in that~~ ^{the} decree,
 11 ~~it is~~ implied that there would be a review period, ^{after}
 12 ~~It's implied, not specifically said, but implied that~~
 13 ~~there would be a look see three years, hence~~

14 So in '74 we were all looking to see
 15 what ~~was going to be said by~~ the decree, ^{was able to accomplish.} we don't
 16 know, ^{because to our knowledge the review} ~~and it~~ has not been done. ~~So if you have any~~
 17 ~~power, any juice, any recommendation, any anything,~~
 18 ~~you use whatever you can.~~

19 This is a long time to be in limbo,
 20 waiting to see what the federal government is going
 21 to do, ^{The Commission by} ~~and we~~ had great hopes when the ¹⁹⁷¹ decree came
 22 into effect, ~~of what was going to happen.~~ We don't
 23 know what has happened. ~~We have had~~ ^{the} jurisdiction
 24 began, originally under the United States Department
 25 of Justice, ^{and} ~~as I recall, before~~ it was transferred to

1 the EEOC, and it's been in Phoenix and San Francisco
 2 ~~official~~ ^{official} and now it's in ~~and back~~ ^{and now it's in} L.A., ~~the jurisdiction,~~
 3 ~~but~~ we still don't know what's happened. We want to
 4 know.

5 ~~I'm oftentimes accused of calling press~~
 6 ~~conferences and making blatant statements about~~
 7 ~~what's happened, but I'm tired of being in the dark.~~
 8 ~~My patience has run its limit, so we don't know what~~
 9 ~~to say or what to do.~~ I can't think of anything that
 10 a federal judge would sign and let it go on that long
 11 without having a review to know what has happened. I
 12 just can't conceive of anything like that happening.
 13 By my mathematics that's been 17 years; ^a long time.
 14 ~~However number of many years it's been.~~ So we'd like
 15 to know.

16 ~~You say that your powers are limited,~~
 17 ~~not adversarial, but are limited to making~~
 18 ~~recommendations.~~ I hope you'll make a strong
 19 recommendation that the federal government ~~would~~
 20 honor its own ~~action, its own~~ decrees.

21 We would like ~~to have~~ ~~we would like~~
 22 to believe that their intention is good, but we have
 23 become very leery now, as to whether or not it's just
 24 something to build people's hopes up in expectation
 25 and then have them dashed because nothing is going to

1 happen.

2 ~~It reminds me of the speech I heard~~
3 leader of the assembly of State of California "Willie"
4 Brown said yesterday: As a black person I would just
5 love to be able to back up the fact that black people
6 have been the most loyal people in this nation for
7 200 years. We've fought in every war and have paid
8 taxes, come to the defense of the country. Never
9 think about selling secrets to the enemies of this
10 country. And even at the time that the country was
11 in peril, we were there with our sleeves rolled up
12 and doing all that needed to be done.

13 And yet, we have to look back and
14 reflect on the history and find that when the
15 founding fathers met in Philadelphia and wrote a
16 preamble to the Constitution "We the people", they
17 did not include me. I was considered, me and my
18 people were considered three-fifths of a person.

19 It was an afterthought that the 13th
20 Amendment recognized me as a human being. 14th
21 Amendment recognized me as a citizen, 15th Amendment
22 giving me the right to vote. And to think with all
23 of this loyalty all of these years and now still are
24 not free, we just want to know how long. When we see
25 people coming from all lands and given the red carpet

1 ~~and we're still trying to get first class citizenship.~~

2 ~~Even though you're not adversarial, you~~

3 ~~just make recommendations,~~ ^{4/1} I hope ~~you~~ ^{the Advisory Committee} make a strong
 4 ~~one~~ ^{recommendation} to whoever will listen that how long do we have

5 to wait? 200 years more? ~~Because we don't have it~~

6 ~~yet. Long ways from having it. Things that most~~

7 ~~people wake up in the morning and take for granted we~~

8 ~~have to think about it. Maybe that's why we have so~~

9 ~~much high blood pressure going on among black people,~~

10 ~~they have so much to think about, so much to tolerate,~~

11 ~~so much to swallow, so much just to live with every~~

12 ~~day.~~

13 ~~That if I would just be given the~~

14 ~~opportunity to prove myself once the door is open,~~

15 ~~the door is not open like everybody else. When James~~

16 ~~Brown said, I don't want nobody to give me nothin'.~~

17 ~~Just to open up the door and I'll get it myself, and~~

18 ~~that's all we're asking for that door to be open.~~

19 ~~An opportunity to present ourselves and prove that we~~

20 ~~have the same worth and same values as anybody else.~~

21 ~~Last statement is I've just been~~

22 ~~reading recently where there's a lot of noise being~~

23 ~~made about the GNP, the gross national product of~~

24 ~~this nation, which is supposed to be the aggregate of~~

25 ~~all the worth. Real and potential of American~~

1 ~~citizens. All our talents and energies and our~~
2 ~~potentialities. All that we're willing to give and~~
3 ~~to do.~~

4 ~~They try to strike a figure as to that~~
5 ~~value, and I'll say that the gross national product~~
6 ~~of America has never been realized, and never will be~~
7 ~~realized until black people are included. Just think~~
8 ~~that maybe a black boy or black girl that would come~~
9 ~~up with a cure for AIDS or cancer or something else~~
10 ~~if given the opportunity. Now we're not given that~~
11 ~~opportunity.~~

12 ~~Sad commentary 200 years after the~~
13 ~~signing. I want to be included in the preamble of~~
14 ~~the Constitution that says "We the people", which I~~
15 ~~am not now. I think with your writings to the~~
16 ~~congress and to the president and all those others~~
17 ~~that need to see and hear what you have to say, I~~
18 ~~would suggest that you make your language as to the~~
19 ~~point and as strong as possible so that they might be~~
20 ~~able to get the message that America can be much~~
21 ~~greater than it is.~~

22 ~~We don't need to have a little country~~
23 ~~like Japan beating us out of the marketplace when~~
24 ~~they extend all that they have in the national spirit~~
25 ~~to make the country great. We haven't even come to~~

1 realize the greatness that we have. If only we will
 2 include and open the doors and allow people to come
 3 in and be judged not on the color of their skins, but
 4 on the content of their character, this is what we
 5 seek to have.

6 ~~This is what the NAACP seeks to have~~
 7 ~~for 17 years. They're still plodding along. But you~~
 8 ~~do what you can do and we'll be going to the next~~
 9 ~~board of commission that does have adversarial powers~~
 10 ~~to maybe do more than --~~ you bring it to their
 11 attention, you make them aware of that and maybe do
 12 that.

13 I thank you for the opportunity for me
 14 to be here. I'll try to answer any questions that
 15 you have.

16 MS. NOZERO: Yes, Mr. Arberry?

17 MR. ARBERRY: Thank you, Madam Chairman.

18 Reverend Scott, recently I got a
 19 complaint from a woman that ~~was terminated from one~~
 20 ~~of the hotels, that~~ she was terminated ^{by a hotel} based on her
 21 hair style. Have you received any complaints like
 22 that through your office ^{alleging} ~~lately where people are~~
 23 ~~getting~~ ⁱⁿ terminated because of their clothing, hair
 24 style, things of that nature?

25 REV. SCOTT: ~~No, I don't recall in the~~

1 ~~recent past of getting any~~ ^{yes, we had one} ~~We~~
 2 ~~had one~~ complaint about the length of ~~one's~~ ^{the} hair of
 3 ~~because they were not handling the food, but they~~
 4 ~~were~~ handling the plates that ~~the~~ food would go ⁱⁿ
 5 ~~and~~ management told ~~them~~ that this ~~was~~ a man that ^{he}
 6 needed to have a net for his hair. I can't remember
 7 how that case was resolved.

8 That's the only ~~things~~ ^(one) I ~~could~~ ^{can} think of
 9 that has to do with hair styling or dress that we
 10 have seen in recent times. But we've gotten ^{many} other
 11 kinds of complaints ~~Alleged~~ ^{ing} discrimination, ~~many of~~
 12 ~~them~~, from time to time.

13 MR. ARBERRY: ~~The reason why I ask the~~
 14 ~~question, Reverend Scott, is~~ ^{believe} do you ~~feel~~ that it's
 15 the job of the NAACP ~~to handle this~~, or the EEOC to
 16 handle something like this?

17 REV. SCOTT: Both. I think that ^{since} ~~in~~ the
 18 ~~time the~~ federal government has set aside an agency
 19 like EEOC, ^{it} ~~they~~ should do what ^{it is supposed} ~~they are~~ to do. The
 20 NAACP is an adversarial agency. Our job is to prick
 21 the conscience of America, keep telling them about ^{discrimination} ~~it~~
 22 until something is done. We've been doing that for a
 23 long time and we're not ^{about} ~~bound~~ to stop, ~~because we feel~~
 24 ~~that since they had opening remarks that we just~~
 25 ~~haven't become whatever potential the country is, and~~

1 ~~we want it to be that way. We're asking to be let in.~~

2 Whereas I would be most delighted to
3 have this kind of thing taking place, and the local
4 form of government many times is why we have to
5 appeal to the federal government.

6 MR. ARBERRY: ~~One additional question.~~

7 The woman that ^{Complained} ~~spoke of this issue~~ stated ~~to me~~ that
8 there weren't any black or Hispanic cocktail
9 waitresses where she was employed. Have you any
10 statistics at all on any of the hotels on ~~how~~ this
11 ~~would affect the NAACP?~~ ^{allegation?}

12 REV. SCOTT: ~~Yes~~ ⁽⁵⁾ We are interested in
13 receiving those complaints. We have a complaint
14 meeting every Tuesday night at seven o'clock in our
15 office, and we have all kinds of complaints crossing
16 the entire strata of employment in this area.
17 ^(a) However, we ~~just~~ have not received any kind that you
18 are referring to. ^(b) We'd be too happy to ~~hear them,~~
19 receive them if they will come.

20 ~~But I will hasten to say,~~ as I said in
21 my opening remarks, I ^{not} ~~don't have the~~ I ~~don't~~ know
22 whether a hotel on the Strip has hired one person, ~~or~~
23 ten or fifteen, or whether they have met the quotas
24 that were set forth in the decree, ~~or not.~~ I don't
25 know that. ^{and} ~~I don't know~~ I don't know if anybody

1 else knows it. If EEOC knows it, they haven't told
2 us. Most certainly the judge hasn't said it, ~~and if~~
3 ~~anybody knows it I'd like to have it.~~ I really would
4 want to have it.

5 And as I said, that's the reason I have
6 been reserving comments I made about the decree until
7 I can get this information; we don't have it.

8 ~~MR. ARBERRY:~~ Thank you.

9 ~~MS. NOZERO:~~ Any other members of the
10 ~~committee have any questions? Yes, Miss Piscevich?~~

11 MS. PISCEVICH: You indicated, Reverend
12 Scott, that you are not able to get the information
13 requested. Have you, as a member of the NAACP, asked
14 any governmental agency to obtain the employment
15 statistics from the various casinos?

16 REV. SCOTT: They'll tell you that they
17 all are available. All you have to do is go down to
18 the federal court and go through this maze of paper
19 and decipher it, and then determine what a certain
20 hotel has or has not done. We don't have the
21 resources, the time, nor the expertise to do that.

22 MS. PISCEVICH: Have you been told that
23 the hotels have ^{filed} ~~provided~~ reports ~~of statistics~~ and
24 ~~the~~ employment statistics with the Court? ^{as a} ~~question~~
25 ~~of then having the personnel to go figure~~

1 ~~out what those statistics are?~~

2 REV. SCOTT: They ^{Hotels are} ~~are~~ required under the
3 mandates of the decree to give that information to
4 EEOC every month. ~~Hotels are~~

5 MS. PISCEVICH: Will EEOC give you that
6 information?

7 NO
8 REV. SCOTT: ~~(Speaker shakes head.)~~

9 MS. PISCEVICH: Do they give you an
10 explanation why not?

11 REV. SCOTT: No. X

12 ~~MS. PISCEVICH: Because that should be
13 public information.~~

14 REV. SCOTT: We would like to have it.
15 We'd like to know on a monthly or quarterly basis
16 exactly what their experience has been; Whether they
17 had one person or ten people or no one, ~~no person.~~

18 ~~MS. PISCEVICH: And the EEOC in the
19 local office here won't provide your organization
20 with that information?~~

21 ~~REV. SCOTT:~~ We don't have a local
22 office of EEOC; it's in Los Angeles, and ⁱⁿ ~~up~~ until
23 ~~this time we haven't had~~ all the years that we've
24 been talking about we still haven't received any such
25 report.

MS. PISCEVICH: And has anybody asked

1 the Los Angeles office for that report?

2 REV. SCOTT: I'm not ~~too~~ sure whether
3 the specific letter has gone out ~~in~~ that way. We ~~ve~~ ^{have}
4 had many meetings and conferences where we've talked
5 to them like we're talking to you, and we just
6 haven't received ^{any report.} Each time we asked the hotels for
7 it, they tell us that they are not required to do it
8 because the consent decree does not require them to
9 do it. It only requires them to make the submission
10 of their reports to EEOC.

11 ~~MS. PISCHEVICH: Well, maybe it's a~~
12 ~~recommendation you might consider doing a formal~~
13 ~~request through a letter or something to the EEOC in~~
14 ~~Los Angeles because it would appear to me that that~~
15 ~~should be public information, that you should be able~~
16 ~~to have available to your organization. That's why~~
17 ~~I'm having a problem here. I can't believe people~~
18 ~~don't respond to your request, that's why I'm having~~
19 ~~some difficulty. I can understand it might take a~~
20 ~~year, that I can appreciate. But I can't understand~~
21 ~~why the communication isn't occurring.~~

22 REV. SCOTT: I would appreciate it if
23 you'd make such recommendation. Consider making such
24 recommendation.

25 ~~MS. NOZERO: I believe that's one~~

1 ~~reason why we're having representatives from the EEOC~~
 2 ~~appear here this afternoon, so they can answer some~~
 3 ~~of those questions for us.~~

4 ~~Any other members of the committee have~~
 5 ~~any questions?~~

6 MS. DELUCA: Reverend Scott, has the
 7 NAACP made any effort to go to the court and decipher
 8 those records? ~~I know you said there's difficulty~~
 9 ~~with personnel staffing and expertise.~~

10 REV. SCOTT: No, we have not, ~~for two~~
 11 ~~main reasons.~~ Number one is that it costs money to
 12 hire lawyers and go into court. ~~Number two,~~ ^{and} we don't
 13 have any ^{civil rights} ~~such~~ lawyers in Nevada. ~~Civil rights~~ ^{our experience has}
 14 ~~lawyers.~~ ^{been that} ~~most lawyers do not~~

15 ~~MS. DELUCA: Thank you.~~

16 ~~REV. SCOTT: They don't~~ take ~~such~~ civil
 17 rights cases, ~~most lawyers~~

18 ~~MS. NOZERO: Any other questions?~~

19 Reverend Scott, I have just one
 20 ~~question I'd like to ask.~~ Over the last 15 to 17 ^{years ago}
 21 ~~years~~ since the initial decree was entered into, do
 22 you ~~feel~~ ^{believe} there has been any progress ~~in the hotels~~ in
 23 the hiring of minorities ^{at the hotels?}

24 REV. SCOTT: This comes back to my
 25 opening statements ^{It would be} ~~purely speculation~~ ^{ve} on my part to

1 try to give a numerical evaluation as to what has
2 ~~happened and what~~^{OR} has not happened. I would be
3 guessing, ~~conjecture~~ and I don't want to do that.

* 4 The organization that I represent takes
5 responsible positions based on evidence and facts
6 before us, and we don't have that. We wish we knew.
7 We'd like to be able to call a press conference and
8 congratulate them on how well they've done. ~~In fact,~~
9 ~~they have done as well as we hope they've done, or~~
10 ~~should have done. That is nothing to hide, that~~
11 ~~they'd be glad to tell us about. Whatever they can~~
12 ~~do, we'd be glad to hear.~~ We'd like to have that
13 information, we really would. ~~Very important.~~ ^{You} Can't ^{not}
14 ~~even~~ imagine how joyful ^{the community was} ~~we were~~ when the decree was
15 issued. We were all anticipating what would happen.
16 We don't know what has taken place.

17 MS. NOZERO: Well, hopefully our
18 hearing here today will resolve a lot of these
19 problems. If anybody has no further questions, thank
20 you very much for your appearance and time here today,
21 Reverend Scott.

22 REV. SCOTT: Thanks for inviting me and
23 allowing me to have the opportunity to appear before
24 you, and keep up the good works and make some strong
25 recommendations on our behalf. We appreciate that

1 very much.

2 MS. NOZERO: Thank you.

3 Our next scheduled speaker this morning
4 was to be Eva Garcia. I understand she was not going
5 to be able to make it. She was going to send a
6 representative in her place, I don't know if he's
7 here yet. Mr. Merida is his name. Well, perhaps
8 he'll show up later in the day so we'll save some
9 time for him.

10 Our next speaker wasn't scheduled until
11 10:55. Is he here? Mr. Budd Ramsey?

12 MR. PILLA: Yes, he is. He's going to
13 be on a panel.

14 MS. NOZERO: Let's take about a
15 five-minute break. Thank you.

16 (Thereupon a brief recess was
17 taken, after which the following
18 proceedings were had:)

19 MS. NOZERO: I'm going to reconvene the
20 meeting at this point. Unfortunately since one of
21 our speakers did not show up, we are running ahead of
22 ourselves here. We had scheduled for 10:55 various
23 representatives of the unions for panel discussion.
24 We'd like to give them a little more time to have.
25 We are still missing one of them to show up. I was

1 ~~wondering if Mr. McCall would be able to go right now~~
 2 ~~would that be possible?~~

3 ~~MR. McCALL: Sure.~~

4 MS. NOZERO: Mr. McCall, why don't you
 5 ~~have a seat. You are~~ Mr. Craig McCall, director of
 6 Corporate Human Resources for Summa Corporation?

7 ~~MR. McCALL: Correct.~~

8 MS. NOZERO: ~~Do you have an opening~~
 9 ~~statement for us today?~~

10 ~~MR. McCALL: Yes.~~ First of all, I'm
 11 speaking on behalf of Summa Corporation, but I
 12 believe our experiences have been shared by other
 13 organizations in the industry. What I thought I ^{would} do
 14 is speak a little bit about what we ^{have} experienced
 15 with ^{both} ~~the~~ consent decrees, ~~both with the blacks~~ and a
 16 comment about our minority experience hiring in Las
 17 Vegas.

18 ~~First of all, those of you unfamiliar~~
 19 ~~with the Summa Corporation~~ ^{is} ~~we are~~ primarily ^a gaming
 20 industry and employ about 7500 employees ~~here in the~~
 21 ~~State of Nevada~~ ^{its facilities in} between Reno and Las Vegas, ^{Nevada}. It might
 22 be significant to talk about the final events before
 23 expiration / ^{s.}

24 Just prior to the Telles ^{decrees} expiring, the
 25 EEOC requested an extension of the decree to evaluate

1 our good faith effort ⁱⁿ of complying, ~~with the decree.~~
 2 This involved evaluation of statistical data, and
 3 applicant flow figures. Several of those
 4 applications ~~were~~ ^{were} involved in the Telles ~~or~~ high tech
 5 classifications ~~which is some of those~~ that were
 6 identified as needing more female, ~~maybe~~ ^{despite} having one
 7 or two or no openings at all during that period of
 8 time.

9 The EEOC considered this in their
 10 evaluation and their subsequent favorable decision
 11 regarding our good faith effort, leading to the ~~expiration~~ ^{of}
 12 ~~Telles decree approximately a year ago.~~ ^{the} This brings
 13 ~~us to a point I wanted to mention, that it's~~ ^{is}
 14 generally not identified in establishing any
 15 promotional or recruitment goals in consent decrees,
 16 ~~and so forth,~~ ^{In our industry there is a} and that's ~~the~~ lack of incentive for
 17 many people ~~in our industry~~ to leave positions with
 18 low wages but high tips for a man ^{agement} position with ~~lower~~ ^{higher}
 19 take-home pay, and no tips. This fact of our industry is
 20 ~~It's been apparent to me that~~ ^{Although} the EEOC
 21 and people in the community ~~can~~ emphasize the number
 22 of minorities we have in management ^{as reflective of progress,} ~~when~~ actually
 23 these larger income, ^{most sought} positions ~~and most sought~~
 24 ~~positions~~ are those that are not necessarily in
 25 management. It's just an inequity that's prevalent

1 in our gaming industry. In fact, we ~~have~~ oftentimes
 2 have people who turn down man^{agement} positions to avoid a
 3 cut in pay because they want to be made available for
 4 a seniority list ~~that is using higher income~~^{FOR}
 5 positions, ~~such as showroom captain, positions and so~~
 6 ~~forth~~ ^{with potential for higher income}

7 Also worth noting^{is} that since the decree^{Telles}
 8 has expired we^{have} not observed any change in our
 9 male-female ratios, ~~since that time~~^{ie.,} just being
 10 maintained ~~in~~^{FOR} the decree and then dropping afterwards.

11 With respect to the ¹⁹⁷¹ black consent
 12 decree which is still in effect, we continue to file
 13 the required reports, ~~and~~ over the years we believe ~~in~~^{FOR}
 14 most classifications, ~~as you know there least occurs~~^{this has been maintained.}
 15 ~~when you maintain that~~^{a facility} 12 and a half percentage of
 16 the work force ~~being~~^{as} black for ~~that~~^a six-month period, we
 17 no longer needed to report the category. ~~it~~

18 However, in the official managers
 19 category, the ~~term in the~~^{goal of a} 12 and a half percent
 20 figure was not used. ~~Instead, they used a term~~^{cited.}
 21 "reasonable percentage" ^{as a goal.} This term has never been
 22 defined ~~for~~^{and} it was never able ~~to be believed~~^{achieved} in that

23 category. ^{that} Recently the EEOC has stepped up their
 24 involvement and for approximately 18 months they've
 25 been requesting ~~our reports include current black~~^{that}
 employed percentages for employees ^{classifications} that had

1 previously been relieved ^{for reporting purposes.} The obvious purpose is to
 2 confirm that we are not letting our figures slip
 3 after being relieved in those positions.

4 For both decrees, the fact ~~of the~~ ^{that}
 5 unions ~~as well as~~ ^{and} the management were signatory ~~s to~~
 6 ~~the decree we believe~~ is an important aspect. I
 7 think it would be difficult for the union to alter
 8 from the seniority list or refer minority candidate
 9 to the employer without some sort of documented
 10 support; I believe ~~this~~ ^{the} decree provides the support.

11 At the time the decrees were
 12 implemented, there ~~was a need or~~ appeared to be a
 13 need to increase ^{employer} the awareness among ~~the employers~~ of
 14 ~~the minorities~~ ^{the} availability ^{of minorities} in the labor force and ~~the~~
 15 ~~skills training that may have been~~ ^{need for} necessary to
 16 enhance the marketable skills of these individuals.
 17 ~~As you know,~~ ¹⁹⁷¹ the decree required training programs,
 18 which there was apparent need for at the time, ~~but~~
 19 now the community offers far more in the way of
 20 ~~dealers school, et cetera for~~ ^{training and} marketing these
 21 ~~available~~ skills.

22 ~~I think~~ ^{ALSO,} the entire environment in Las
 23 Vegas has changed, ~~also,~~ particularly in the ~~area~~ ^{development} of ~~the~~
 24 human resource function which may not have existed in
 25 a lot of the ^{Hotel} properties at the time of the decrees.

1 Now, ~~maybe because of the~~ ^{due to the movement} larger corporations ~~moving~~
 2 into ^{the} gaming industry, the human resource function has
 3 grown in its role as well as its staffing and
 4 responsibilities ^{at} ~~in~~ these properties.

5 At Summa we've greatly enhanced our
 6 in-house training for job-related skills and this
 7 includes personal computer training, writing, ~~skills,~~
 8 customer courtesy, ~~as well as managerial skills in~~ ^{and}
 9 order to develop ~~management~~ ^{those} skills that people need
 10 to be promoted if they so desire.

11 Also, we offer a lot in the way of
 12 personal development skills to employees, and these
 13 programs can be particularly beneficial to women who
 14 are new to the work force, ~~either now work for a~~ ^{or returning after a}
 15 period of time, ~~or never entered it as prior to now.~~

16 In the earlier days of the ¹⁹⁷¹ ~~black~~ decree,
 17 ~~just to mention a problem of note, is that oftentimes~~
 18 our properties ~~were through the in-house training~~
 19 ~~programs,~~ were training black employees and dealers
 20 for dealer classifications, ^{in the in-house training program.} ~~but~~ then, after we got
 21 them trained and they were working, we were losing
 22 them quickly to other properties who needed to
 23 ~~maintain~~ improve their numbers ^{of} ~~for~~ black dealers.

24 But I think with the ~~onset of the~~ development of
 25 ~~these~~ various gaming schools in Las Vegas, that ~~seems~~

1 ~~to have resolved that problem~~ ^{seems to have been resolved} because we don't ~~feel~~ ^{believe}
2 that ~~that's~~ ^{is} happening to us anymore.

3 As far as the ~~black~~ ¹⁹⁷¹ consent decree, ~~Summa~~
4 ~~we're~~ ^{properties} still continuing ^e to be represented at the
5 monthly contact committee meetings, and we still
6 contact organizations ~~for instance~~ ^{such as} the Black
7 Chamber of Commerce ^{and} the Latin Chamber of Commerce
8 to ~~try and get in contact with~~ ^{obtain} applicants ~~of these~~ ^{for}
9 ~~groups~~ before our openings.

10 ~~Also a closing point that I wanted to~~
11 ~~mention is that I certainly~~ realize and appreciate
12 the need for the decrees, but I'm also interested if
13 EEOC or the ~~NERC~~ ^{Nevada Equal Rights Commission (NERC)} has identified any ongoing trends of
14 discrimination through valid discrimination claims
15 ~~and so forth~~ ^{filed} in their offices that would be
16 reflective of ~~our industry~~ ^{in our industry.} trends ~~that was my point~~
17 ~~I wanted to make.~~

18 ~~MS. NOZERO. Thank you very much. Mr.~~
19 ~~McCall, do you have any questions from members of the~~
20 ~~committee?~~

21 MR. ARBERRY: ~~Yes~~ You mentioned a
22 monthly meeting, please elaborate.

23 MR. McCALL: Contact committee meetings
24 ~~They're~~ ^{are} held at the Summa Corporate Services building
25 and they include representatives from various

1 properties that are signatory to the decree as well
 2 as representatives from the union, NAACP at times and
 3 other minority groups who may want to attend.

4 MR. ARBERRY: Is this a meeting ^{to which} you can
 5 bring complaints if you like?

6 MR. McCALL: Sure you can bring
 7 complaints. I think one purpose ^{of the meetings} ~~that we do~~ is to
 8 develop rapport with ~~these~~ representatives from ~~these~~
 9 minority groups in order to make them aware of
 10 openings that may occur, ~~in between the meetings.~~

11 ~~MR. ARBERRY: Is this a monthly meeting~~
 12 ~~schedule on the same day every month, or --~~

13 ~~MR. McCALL: Yeah. I can't tell you~~
 14 ~~the exact day offhand.~~

15 ~~MR. ARBERRY: Is it possible I can get~~
 16 ~~that information from you?~~

17 ~~MR. McCALL: Sure. I'd be glad to get~~
 18 ~~that for you.~~

19 ~~MR. ARBERRY: Thank you.~~

20 ~~MS. NOZERC: Yes, Dr. Sedway?~~

21 ~~DR. SEDWAY: Thank you, Chairman~~

22 Have you heard the comments of Reverend
 23 Scott concerning his inability to receive information
 24 on compliance reports? Would you have any objection
 25 to sending the Reverend Scott a copy of your

1 compliance report on a regular basis?

2 MR. McCALL: ~~I thought Miss Piscovich~~
 3 ~~I don't know if that's correct -- handled his~~
 4 ~~question quite well.~~ We oftentimes get requests for
 5 information from different organizations. Some seem
 6 very credible, some I question. As a matter of *Company*
 7 man-hours, I refer them all to the courthouse, ~~which~~
 8 ^{is} ~~it's~~ my understanding ^{the data} ~~it~~ is available to the public,
 9 and this is the first time that I've heard it wasn't.
 10 I prefer to handle it that way.

11 DR. SEDWAY: ~~In other words, you do not~~
 12 the answer to my question is no, you will not send
 13 him a copy; is that correct?

14 MR. McCALL: I'd like to talk to him
 15 about problems he might have and obtain ^{data} ~~them~~ from the
 16 ~~source that he's intending to be available to an~~
 17 ~~organization such as his~~ before I submit it to him.

18 DR. SEDWAY: I think the NAACP is a
 19 fairly credible organization. ~~It's not an off-the~~
 20 ~~wall~~

21 MR. McCALL: No, and I respect their
 22 objective for the information. But the intent was
 23 that they were available to the public through the
 24 organization ~~that~~ and I ^{would} want to research that
 25 before I give it to him. I ^{am} ~~am~~ not saying I wouldn't ^{not} ~~it~~

1 give it to him. There^{is} a reason why he would want
2 to have it.

3 DR. SEDWAY: Well, apparently he's
4 having some difficulties with the EEOC in Los Angeles,
5 and I thought it might make things a little easier if
6 you'd just send a Xeroxed copy of the report on a
7 regular basis. Certainly I'm sure your organization,
8 which is a significant one in the state, if they'd
9 make this information available to the federal
10 government they shouldn't have any trouble making it
11 available to the NAACP, ~~I think~~.

12 MR. McCALL: I'd like to talk to him.
13 First of all, I can^{not} see any problem, ~~but~~

14 DR. SEDWAY: Why do you have to talk to
15 him?

16 MR. McCALL: Because I think the
17 information is easily available to him already, and I
18 don^{not} want us to get into a situation where we are
19 constantly providing information to everyone who
20 requests it when it^{is} already designed to be provided
21 through the courthouse and to my understanding, it^{is}
22 easily obtainable from them.

23 DR. SEDWAY: Did^{it}n^ot sound like it was
24 easily obtainable, ~~to me~~.

25 MR. McCALL: From Reverend Jesse

1 Scott's comments, I agree with you. Perhaps he did
 2 not know the right source to contact, and I ^{would} be
 3 happy to get in contact with the correct sources.

4 DR. SEDWAY: Can I rely on you to
 5 contact Reverend Scott to work with him on that?

6 MR. McCALL: Sure.

7 MS. PISCEVICH: If I understand in the
 8 ~~latter~~ ^{Teller} decree, there was a confidentiality clause.
 9 ~~Did~~ the reports that you send into the EEOC, are they
 10 different than the EEOC's reports that are filed with
 11 the courthouse? ~~if you know?~~

12 MR. McCALL: I ^{am} not familiar with the
 13 clause, and I don't know any difference between the
 14 reports we give to the courthouse and those we give
 15 to the EEOC.

16 MS. PISCEVICH: There is a
 17 confidentiality clause in the decree. ~~I don't know --~~
 18 ^{is} that ^{am} what I'm wondering, if there's a difference
 19 between the reports.

20 MR. McCALL: I ^{am} not aware of any
 21 ^{in the reports} difference being submitted.

22 MS. PISCEVICH: With respect to the
 23 ~~earlier~~ 1971 decree, you indicated that ~~there has not~~
 24 ^{in some areas have not been} been some goals reached in certain areas in ~~your~~ ^{the}
 25 ^{Summa} labor force ~~with Summa~~ is that correct?

1 MR. McCALL: In the Officials and
 2 Managers category. That's ^{is} a key point, and it's ^{is} one
 3 of the problems with the decree that ~~I think even the~~
 4 EEOC has expressed concerns ^{about}. That is, they ^{decree} require ~~I~~
 5 ~~believe the term is~~ a reasonable percentage in that
 6 classification in order to be relieved, ^{from reporting.} ~~They've~~ Neither ^{the}
 7 ^{Court nor EEOC has} ever defined "reasonable percentage". They ~~ve~~ have
 8 mentioned off the record that yes, they ^{figures} represent
 9 that, but it's ^{is} never been confirmed.

10 So without ever having established a
 11 set figure in order to define just what you ~~ve~~ have
 12 reached in order to be relieved, it's ^{is} impossible to
 13 be relieved, therefore we ^{have} ~~ve~~ never been relieved.

14 MS. PISCEVICH: But you have the relief
 15 from all the other categories?

16 MR. McCALL: I believe there are a few
 17 that we do not maintain the 12 and a half percent for
 18 a six-month period at one or two of our properties.

19 MS. PISCEVICH: I'm ~~just curious.~~ DO
 20 ~~they come back? I'm just asking this for my own~~
 21 ~~information.~~ Once you ^{are} ~~re~~ relieved from a certain
 22 ^{Category} ~~area~~ can they come back a year, year and a half later
 23 and reevaluate that area and determine if in fact
 24 compliance has been maintained?

25 MR. McCALL: ^{Yes} ~~yeah~~, and that's ^{is} what ~~is~~ ^{AA}

1 ~~recently~~ ^{recently} EEOC has begun doing, ~~that, is~~ years ago, once
 2 we were relieved, we would discontinue reporting ~~for~~
 3 ~~that position as far as~~ ^{the} percentage of blacks in that
 4 classification. But ~~as of~~ approximately 18 months
 5 ago, ~~they~~ ^{EEOC} asked us to report on the percentages for
 6 all classifications that were included in the initial
 7 decree, whether we'd been relieved of them or not.
 8 So yes, in essence ~~that now~~ they ^{are} coming back and
 9 checking.

10 ~~MS. PISCEVICH: Thank you.~~

11 ~~MS. NOZERO: Any other questions?~~

12 MR. TETREAULT: I ~~have one~~. Do you
 13 have information available ~~with you or at all~~, as to
 14 the effectiveness of the consent decree in respect to
 15 your organization?

16 MR. McCALL: I don't have anything with
 17 me. I think that with the Telles, ^{decree,} our final reports
 18 prior to expiration, show a significant difference
 19 between the initial figures of female and the final
 20 figures noted. ~~That was what they evaluate in order~~
 21 ~~to determine relief of it because really it was~~
 22 ~~contingent upon areas.~~

23 As far as the ¹⁹⁷¹ ~~black~~ decree, I don't
 24 have anything with me, and it would take some
 25 analysis to assess what progress was made. My gut

1 feeling was it was very significant progress, and
2 largely because of the training programs that were
3 initiated.

4 MR. TETREAULT: Did you compare these
5 statistics that you have today ~~say,~~ with the
6 community statistics on the average?

7 MR. McCALL: Yes.

8 MR. TETREAULT: How do they compare?

9 MR. McCALL: Above average.

10 ~~MR. TETREAULT: No further questions.~~

11 MS. DELUCA: ~~Thank you. Mr. McCall,~~ in
12 the Officials and Managers category, has Summa
13 Corporation set its own percentage ~~or level~~ which it
14 ~~believes is~~ feels sufficient? ~~to Summa?~~

15 MR. McCALL: Different properties are
16 making different levels of objectives and hiring
17 efforts, and we don't have a corporate figure. In
18 our comparisons we've been ~~causing~~ the SMSA and we'd
19 like to have our figures represent what the state
20 employment security department ^{for} the SMSA, reflects ⁱⁿ
21 its availability of blacks in the work force ~~and~~
22 ~~these~~ match that.

23 MR. DELUCA: What is your impression of
24 the success of moving minorities and women into
25 managerial and officials positions? Can you just

1 comment broadly on what your impression is of the
2 success or failure in that area?

3 MR. McCALL: I'm speaking for Summa, I
4 think we've made significant progress ^{for} of women in
5 management particularly, and there is still room ^{for improvement.} ~~and~~
6 ~~we~~ ^{representation} are looking for more ~~from~~ some of the other
7 minority groups. X

8 ~~MR. DELUCA: Especially which ones, for~~
9 ~~example?~~

10 ~~MR. McCALL: Off the top of my head, it~~
11 ~~would be difficult to say where we're short on that,~~
12 ~~but~~ ^{have} it seems as though we ~~ve had~~ ^{had} not as many
13 qualified blacks and hispanics apply for management
14 positions as ~~in, say, in the women, minority group.~~

15 ~~MR. DELUCA: Thank you.~~

16 ~~MS. NOZERO: Any further questions from~~
17 ~~the members?~~

18 ~~I have a few questions if I might, Mr.~~
19 ~~McCall.~~

20 ~~MR. McCALL: Sure.~~

21 MS. NOZERO: I believe that there is a
22 scholarship fund set up at the hotel college at the
23 University of Nevada Las Vegas, which resulted in
24 some way from the consent decree. Do you have any
25 knowledge of that scholarship?

1 MR. McCALL: Yes. At the time the
2 Telles decree was initiated back in '81, there was a
3 fund that was set aside to be paid out to claimants
4 from the Telles decree, and they were not able to
5 locate or identify the claimants who were deserving
6 or had this money coming to them, and so the
7 remainder, which I believe is approximately 1.1
8 million dollars, was set aside to the University's
9 Hotel School.

10 MS. NOZERO: Do you have any knowledge
11 of whether or not hotels have been advertising ^{the}
12 availability of these scholarship funds to its
13 employees?

14 MR. McCALL: I'm not familiar with how
15 the funds ^{is} ~~been~~ administered since it went to the
16 university.

17 MS. NOZERO: ~~I was wondering, you~~
18 ~~talked about these monthly meetings.~~ Has
19 participation by the representatives of the minority
20 organizations in town continued ^{at the monthly meetings} over the years? Have
21 you noticed any apathy on their part?

22 MR. McCALL: My understanding is there
23 is a sign-up sheet each month that can identify who ^{has}
24 been there every month, but there have been several
25 months where there ^{has} ~~s~~ not been any representatives

1 from ~~the~~ minority groups, ~~is my understanding.~~

2 MS. NOZERO: Nobody from the NAACP and
3 LULAC? Those two major organizations?

4 MR. McCALL: I believe so. Those were
5 the ones we mentioned attended.

6 MS. NOZERO: Have you had any problems
7 over the years in working with the unions in terms of
8 implementing the decree?

9 MR. McCALL: No. My experience is *that*
10 ~~since I've been involved~~ they ^{*have*} been quite
11 cooperative.

12 ~~MS. NOZERO: Thank you very much. If~~
13 ~~nobody else has questions, I appreciate your~~
14 ~~appearance here today, Mr. McCall.~~

15 ~~MR. McCALL: Thank you.~~

16 ~~MS. NOZERO: I believe next we will go~~
17 ~~back to the agenda in the order in which it was~~
18 ~~written. We have four representatives I believe here.~~
19 ~~Mr. Budd Ramsey, Mr. Pat Benzenbower, Joseph Linnert~~
20 ~~and Dennis Kist, who are going to talk to us --~~

21 ~~MR. COHEN: I'm from the Culinary.~~

22 MS. NOZERO: -- ~~who are going to talk~~
23 ~~to us about the efforts of the union in the consent~~
24 ~~decree.~~

25 ~~MS. NOZERO: Gentlemen, is there one~~

1 ~~person designated to speak first, or how do you wish~~
 2 ~~to handle this morning?~~

3 ~~MR. KIST: I'm not sure, to be honest~~
 4 ~~with you.~~

5 ~~MS. NOZERO: Well, if anyone has any~~
 6 ~~opening comments they'd like to make we'd like to~~
 7 ~~hear them.~~

8 ~~MR. RAMSEY: I'll start out. I am Budd~~
 9 ~~Ramsey, the state director, for the Bureau of~~
 10 ~~Apprenticeship training, and I work with the various~~
 11 ~~apprenticeship training programs. In the State of~~
 12 ~~Nevada, there are many people in other areas that~~
 13 ~~when you say are apprenticeship, they are~~
 14 ~~apprenticeship and union. There is where the~~
 15 ~~majority of our programs run. However, in the~~
 16 ~~Southern Nevada, area, nine of the 32 programs in this~~
 17 ~~area have nothing to do with any union; they are~~
 18 ~~management-run only.~~
 19 ~~Statewide, 23 of the 69 are management~~
 20 ~~only programs. We have nothing to do with the~~
 21 ~~consent decree. We are under, on our program,~~
 22 ~~working with the various apprenticeship programs,~~
 23 ~~naturally working under the Department of Labor~~
 24 ~~regulations which is 29 CFR 30. This sets how goals~~
 25 ~~and time tables are set. This particular regulation~~

as union apprenticeships.
regulation
to be met

1 also specifies that, ~~it's like in the State of~~
 2 ~~Nevada, that~~ the state will come up with their EEO
 3 plan for apprenticeship, which they have done and it has
 4 been in effect. The first ^{plan} was ^{for} ~~on~~ minority ^{ies}, and then it
 5 later was modified to include women.

6 It breaks down ~~in~~ two different sets of
 7 goals and timetables, one for the north and one for
 8 the south, because of the difference in the minority
 9 population in the two areas. This is the plan that
 10 the apprentice program has worked for. It's not a decre~~e~~
 11 ~~degree~~, nor quotas, but goals and timetables, and most
 12 ~~of them~~ ^{Programs} do a pretty fair job of it. We have programs
 13 in all areas, part of them are in the hotel industry,
 14 and a lot of them aren't.

15 For instance, we have ^a programs ^{at the} like Las
 16 Vegas Sun where we have three apprentices who happen
 17 to be a labor management review committee, and ^{another} ~~again~~
 18 ^{Program at} the Review-Journal. So we do have a variety of
 19 ~~different types of~~ apprentice programs and
 20 occupations within the state.

21 ~~That would be my opening statement.~~

22 ~~MS. NOZEMO: Thank you, Mr. Ramsey.~~

23 ~~Anyone have any questions of Mr. Ramsey~~
 24 ~~before we go on to the union representatives?~~

25 ~~All right. Go ahead. Do the Union~~

1 ~~representatives have statements they wish to make?~~

2 ~~MR. LINNERT:~~ My name is Joseph Linnert,
 3 ~~I'm~~ apprenticeship coordinator and director, ~~for the~~
 4 Operating and Maintenance Engineers. I'd like to
 5 clarify one statement ^{regarding apprenticeship} ~~Bud said management union run~~
 6 ~~programs~~. I don't think we have any, quote, union-
 7 run programs. For the very simple reason any
 8 indentureship or any indentured apprenticeship
 9 program in the State of Nevada has a ~~management,~~
 10 joint management-labor committee that ^{sets policy} ~~tells me what~~
 11 ~~to do~~.

12 On that respect, most people have ~~such~~
 13 a misconception of apprenticeship, and I really think
 14 that's where the biggest problem on my side comes
 15 from. They don't understand apprenticeship, they
 16 have no idea whatsoever what's involved in it, how it
 17 works, or anything else.

18 ~~So part of my spiel today -- and I~~
 19 don't know, according to the letter I received I was
 20 told I was to give a ten-minute presentation, and
 21 then I was open for questions and answers. I kind of
 22 wrote this down into four categories that the letter
 23 asked me to present to you folks. So if you don't
 24 mind, I'll try and follow what I outlined here and
 25 hopefully not confuse anyone.

1 ~~First of all, in paragraph one they ask~~
 2 ~~me for a general background of the Operating and~~
 3 ~~Maintenance Engineers trade.~~ In brief, the program
 4 is a four-year indentured apprenticeship program for
 5 stationary engineers. What we actually do ~~in the~~
 6 ~~State of Nevada or~~ in Southern Nevada is the
 7 maintenance type work, anything under the roof of a
 8 hotel, laundry or hospital, wherever the union has a
 9 contract.

10 And I also have to first say I'm only
 11 speaking for the JAC here, not the union. I'm not
 12 employed by the union, I'm employed by the JAC. ~~So I~~
 13 ~~want to be very specific with that because~~ we are
 14 ~~really~~ two totally separate entities. ~~They are~~ ^{the union is}
 15 currently under contract negotiations, which I know
 16 nothing about; it's none of my business. The only
 17 thing that is my business is what affects
 18 apprenticeship and the future of that program.

19 Our particular program is a four-year
 20 program, ^{including} ~~as I said.~~ It encompasses anywhere from
 21 1600 minimum hours on-the-job training per year.
 22 ~~Anything over 1600 hours a year does not count for~~
 23 ~~extra or into the next year. It goes to year by year.~~

24 The most hours an apprentice can
 25 accomplish in one year is 2,080 and then they go into

1 year two and start all over again. In conjunction
 2 with that, an apprentice puts in two nights a week,
 3 three hours a night schooling. That school is run by
 4 myself. Our hours, minimum under state standards is
 5 144. We are currently every year in excess of 200
 6 ~~now~~ to try and give people more ~~and more~~ training.

7 Electrical last year was 231.
 8 Refrigeration this year is slated for 201. The
 9 following year is pressure vessels and water
 10 treatment, that's 201 hours. The last year is a
 11 composite, 100 hours of welding, 50 hours of
 12 blueprint reading and 50 hours of electronics.
 13 That's what an apprentice in my program has to go
 14 through; it's a very, very rigorous curriculum.

15 The days ~~and years gone past~~ where
 16 ~~unions in my opinion got a bad name~~, someone gets into
 17 the program and four years later gets a journeyman
 18 card, is history. These people are watched, ~~they're~~
 19 monitored, ~~they're~~ graded on a monthly basis, and if
 20 they do not comply they're out of this program.

21 Now, to my knowledge, the operating and
 22 maintenance engineers have never been under these
 23 consent decrees, ~~other than becoming in 1980, they~~

24 (~~became signatory to 29-29 30-~~) In 1980 the operating and
 25 maintenance engineers I feel we ^{have} ~~ve~~ tried very hard to comply

1 with that, ~~but on the same token~~ I ^{believe} ~~feel~~ we ^{have} ~~we~~ gotten
 2 very little help in complying with ^{it.} ~~that, and these~~
 3 ~~are my reasons in paragraph two as to what we have~~
 4 ~~done.~~ These decrees, according to what ~~we were told~~
 5 ~~or I was told~~ ~~I can only go by what I was told~~
 6 ~~because I've been on board since '81.~~ ~~Originally I~~
 7 ~~was told it was a law.~~ ~~I found out~~ just in the last
 8 two years ^{I found out} that it is not a law, ^{but} ~~its~~ goals, and
 9 timetables.

10 ~~Consequently, I feel personally I've~~
 11 ~~done a lot of things wrong, thinking it was a law.~~
 12 ~~What I mean by that is I don't believe there's~~
 13 ~~reverse discrimination. It's just who are we,~~
 14 ~~discriminating against.~~ So my particular committee
 15 ~~took steps over the years in constantly changing to~~
 16 ~~try to comply to everyone.~~ What we've done is we've
 17 always followed the guidelines of an equal
 18 opportunity employer, ^{even though,} ~~in my opinion.~~ But we are not
 19 an employer. We're a training facility, and that's
 20 it. We changed and updated our standards on a yearly
 21 basis to try and come in compliance with all the
 22 federal and state rules.

23 Before we opened our program, not only
 24 with advertising, ~~in the papers so on and so forth,~~ we
 25 sent out over 200 letters to every minority and

1 female agency that we ^{could} ~~can~~ find on any list, ~~which is~~
 2 ~~normally supplied to us by the federal government,~~
 3 ~~advertising the opening of that program.~~

4 We have run newspaper ads, we have
 5 meetings to counsel apprentices, we have meetings to
 6 counsel journeyman where apprentices may have a
 7 problem. We discuss it at union meetings. We had ^{ve}~~had~~
 8 mandatory staffing of apprentices on the job built into
 9 the union contract. If it wasn't for that I don't
 10 know if we would actually even have a program today.

11 We eliminated oral interviews back in
 12 1979 or '80 because the committee felt they were too
 13 discriminatory. I believe I'm the only program in
 14 the State of Nevada that posts a selection list in
 15 the foyer of the building and sends a copy to BAT.
 16 We update apprentice applications yearly.

17 Now, this has really been kind of a bad
 18 break, because ~~two years with~~ federal and state laws
 19 ^{changed} ~~they tell us what we can ask,~~ ^{and} I can't ask how old
 20 you are, I can't ask if you're a male or female, I
 21 can't ask what religion, what race you are, anything
 22 else. ^{then government agencies} ~~That same committee~~ comes back and says we
 23 want some statistics. Well, if you can't ask the
 24 information, then we have no way of going back and
 25 getting it.

1 The time spent on explaining the
 2 program by myself and my secretary is astronomical.
 3 People call on the phone and I give them the whole
 4 bale of hay like I'm giving you people today.
 5 Because I believe the more ^{that} people ~~that~~ know, ~~the more~~
 6 ~~people that~~ ^{and} understand, the more people are going to
 7 try and get into programs because I think they're
 8 very good programs and are very well run.

9 ~~Paragraph three asks for overall~~
 10 ~~problems, success, so on and so forth. Again under~~
 11 ~~that heading I want to specify. We are not employers.~~
 12 We ~~do~~ select who gets into ^{our} ~~that~~ program through a
 13 procedure, and we take ~~in, in my particular sense,~~
 14 the right of selection away from the employers. That
 15 makes employers irritated from time to time because
 16 they do not have the choice of who they get. They
 17 get who we send. X

18 There are a lot of other guidelines and
 19 rules around that give the employer the flexibility
 20 of having in some cases ^{the employee} ~~I feel~~ he needs, but it is an
 21 irritating factor to the employer to tell him he will
 22 hire this employee. 9 I touched on the fact that
 23 federal and state rules make it impossible in some
 24 cases to collect information. X

25 Now, in a seminar that we've put on to

1 a local WACA group on job applications, ~~so on and so~~
 2 ~~forth~~, we found that legally we can ask a whole lot
 3 more ~~which was never explained to us in the past,~~
 4 providing it's ^{is} a tear-out sheet with nobody's name on
 5 it; That ^{it} is strictly answered on a voluntary basis,
 6 and it says so on the top. They do not have to
 7 answer anything on there if they don't want to
 8 because that's the law.

9 ~~An example on that~~, I had a woman ~~in~~
 10 ~~the program or~~ who applied for the program who
 11 refused ~~number one~~, to write down that she was a
 12 woman, and ~~refused also to write down~~ that she was
 13 Hispanic. Consequently, you don't show those figures, ^{and}
 14 ~~And a lot of people do that,~~ I'm finding out more and
 15 more ~~they~~ do.

16 ~~Another fallacy in apprenticeship,~~
 17 apprenticeship years ago was deemed something for the
 18 young. Someone who did not want to go to college and
 19 wanted to get into a trade. ^{THIS IS A FALLACY today.} The average age of my
 20 apprentices ^{is} right now is 39 and a half years old, my
 21 oldest being 56 years old. That ^{is} a problem because
 22 employers still look at ^{an} apprentice as ~~the~~ young
 23 individuals, and not as a 56-year old person.

24 ~~Also on this same token,~~ I personally
 25 ^{believe} ~~feel~~ that from upper management, there is very ~~very~~

1 little resistance on who they get ~~from an apprentice,~~
 2 ~~or~~ for an apprentice. I feel the biggest problem is
 3 with what ~~I would have to call~~ middle management or
 4 lower management, the person that is actually in
 5 charge of ~~that~~ ^c particular crew. ~~There are still a~~
 6 ~~lot of problems in it, and~~ upper management attends
 7 all kinds of classes, ~~myself included,~~ on
 8 discrimination, on just general every day life.
 9 ~~These~~ ^{management} lower people do not, ^{attend these classes} and consequently in some
 10 cases I don't feel they know how to handle ~~them~~ ^{problems}. For
 11 ~~the most part, I don't have a problem. But when I do~~
 12 ~~have a problem it's a very, very serious problem~~
 13 ~~because of our selection procedures.~~

14 ~~So I'd like to, in brief, tell you what~~
 15 ~~it takes~~ ⁹ for an apprentice to get into my program, ~~the~~
 16 ~~Minimal qualifications~~ ^{is to be} are 18 years old or older, ~~and~~ ^{have}
 17 high school diploma or GED, ~~that is it.~~ We must
 18 advertise 30 days prior to the opening of the program
 19 to all applicants, ~~we do that.~~ They come in, and we
 20 have them fill out a ~~very, very~~ standard basic job
 21 application. ~~That's where these figures are supposed~~ ^{7 actual}
 22 ~~to be compiled from.~~
 23 ~~From that then,~~ ^{applicant} we give them a slip of
 24 paper that they sign, stamped with two numbers. The
 25 number is the same, ~~it's just repeated.~~ ^{The paper is} ~~It's~~ torn in

1 half; the^{app} get their half, I get the signed half.

2 ~~That means that they know, along with that is a sheet~~
3 ~~of paper, when they come back and take their exams.~~

4 We give three basic exams: A reading
5 exam, approximately sixth grade math exam and a
6 mechanical comprehension exam. It is very ~~very~~
7 basic, it has nothing to do with the craft. ~~From~~
8 those exams ^{are} ~~they're~~ scored, ^{and} a list is compiled and
9 the highest scoring person goes number one on the
10 list and so on ~~and so on~~ all the way down. No one
11 fails. ~~No one.~~

12 ~~Depending on how many jobs~~ ^{at} that
13 point, ~~then~~ the program is closed and remains closed
14 for two years. Most people don't understand that.
15 The reason for the closure is ^{that} as we need an
16 apprentice ^{we} ~~to~~ draw from that list, starting from
17 number one, ~~and so on and so forth.~~

18 ^{This creates} ~~That's where one of the problems come~~
19 ~~from~~ because in order to try and comply with ~~these~~
20 consent decrees under these standards, ~~it's~~ who are
21 we discriminating against. On my last opening I had
22 no woman score in the top 25. None. That's
23 devastating to me because if I've put a woman on
24 board I've discriminated against everyone else above
25 her, so on and so forth with other minorities. It is

1 not a law here and I ~~really personally~~ am very, very
 2 concerned about ~~that, as far as a~~ ^{the potential for a legal} suit.

3 Who are they going to sue? ~~Me or Budd~~
 4 ~~Ramsey,~~ or are they going to sue my program? The
 5 decree says we will try and do this. ~~Try~~ But under
 6 goals and timetables, in my opinion, we're still not
 7 right. I honestly feel that my particular program is
 8 the simplest, the easiest and the most fair in the
 9 State of Nevada to get into. I don't sit there and
 10 play God on who gets into my program. Most people
 11 still have a conception that ~~union members,~~ only
 12 the ~~children~~ ^{of union members} get into the program. Less than five
 13 percent ^{within} ~~of~~ my apprenticeship program are ~~union-~~
 14 ~~members,~~ related to union members.

15 My business agent's son did not get in
 16 last time. The ~~main~~ ^{Son of the} secretary for the union's ~~son~~
 17 has not gotten in in the last six years, and he's
 18 applied every time. I feel our tests are fair,
 19 they ~~re~~ ^{are} graded by six instructors, the instructors do
 20 not know who anyone is when they grade those exams
 21 because the only thing that appears on the top is
 22 that number. Not until the list is compiled by
 23 number ^{is the} ~~matching~~ score ^{matched} ~~is that~~ gone back and then
 24 added ^{back on} ~~to~~ the application and ^{for} ~~goes in a~~ file ^{ing'} ~~so~~
 25 ~~that's basically our program.~~

1 ~~The last paragraph here, remaining~~
 2 ~~problems, one concern of mine, because I legitimately~~
 3 ~~care about people. I will not play with people's~~
 4 ~~brains personally.~~ ^{and} is that women ⁱⁿ minorities are
 5 getting ~~a handle~~ ^{the reputation}, especially in apprenticeship, that
 6 the only reason that they're there is because they're
 7 a minority or ~~because they're~~ a woman. I don't think
 8 that's fair. They can't live that way for four years,
 9 thinking that they ^{are} ~~re~~ there only because they ^{are} ~~re~~ a
 10 minority or woman.

11 They've got to know that they're there
 12 because they ^{are} ~~re~~ the best because the ~~work is very,~~
 13 ~~very difficult, as far as the schooling and the~~
 14 ~~on-the-job training,~~ ^{are very difficult.} If they ~~cannot~~
 15 then they ^{are} ~~re~~ not going to succeed, and that ^{is} ~~s~~ part of
 16 ~~what~~ our dropout problem ~~is~~.

17 ~~Number two,~~ ^{I believe} I ~~feel~~ the goals and
 18 timetables are too high. I ^{have} ~~ve~~ had many discussions
 19 with ~~Bob~~ ^{Bob} on this. ~~I don't know what was all taken into~~
 20 ~~place that compiled those goals and timetables.~~ I do
 21 know ^{that} in 1981 when I opened ~~that~~ ^{the} program, I had many
 22 more women and minorities apply. ~~But I do know now~~
 23 ~~that~~ [≡] on my last opening, ~~which was~~ 358 people applied
 24 for ~~approximately~~ what we assumed would be 25
 25 openings; ^{However,} that ~~dwindled~~ ^{is} to ten ~~openings~~. That ~~s~~ all

1 I ^{have} ~~we~~ placed, and I ^{am} ~~am~~ getting ready to reopen here
 2 shortly. I will put out two more before that
 3 reopening which is scheduled in the spring of next
 4 year.

5 ~~But the reason I'm saying they're too~~
 6 ~~high is because~~ ^{the} out of 358 applicants only six
 7 percent women ^{were} ~~even only applied~~. So if only six
 8 percent ~~of~~ women applied where do I ~~legitimately~~ even
 9 come close to try and place 18 percent? Which brings
 10 me back to ^{another} ~~the~~ fact, when I've reopened the program we
 11 graduated three women.

12 ^{DLS} ~~Mr. Ramsey's~~ computer now punches out a
 13 little thing on how many minorities and women do you
 14 have in the program. But the computer does not take
 15 into consideration this two-year closure; it's a
 16 monthly printout.

17 Consequently, at one time I might be
 18 sitting there with 20 percent, and then over the ^{training} ~~time~~
 19 ~~spot~~ when they turn out, I might be down to five
 20 percent. Those reports do not reflect any of that,
 21 and I think it's wrong.

22 Also, when I opened this program and we
 23 closed the door and dispatched, the first two people
 24 I dispatched were women. Now, they were not my
 25 highest scorers, but I dispatched them because I

1 graduated three. I dispatched two. So for the first
 2 four months of my opening, my dispatch rate was 100
 3 percent female, and the next six months it dropped to
 4 80 percent female, as far as dispatch quota.

5 ~~As far~~ ^{over} the last two years now I ^{am}
 6 at 21 and a half percent, ^{as before} So I don't think people
 7 look at, ~~quote~~ the figures realistically in
 8 relationship to what's really there.

9 Also, another problem ~~that I foresee~~ ^{and} is
 10 because so many journeymen's daughters ^{and} sons are not
 11 getting back into these crafts, they ~~are getting a~~
 12 ~~very bitter taste in their mouth~~ ^{question} about why ^{they} should ~~it~~
 13 train this ~~other~~ ^{their} person here when ^{my} own kid can't
 14 get into ~~this~~ ^{it} program, ~~and I've been a good member of~~
 15 ~~the union for 25 years?~~

16 So now I'm starting to experience
 17 problems ~~as far as~~ ^{where journey man} ~~quote/unquote~~ they say ~~hey~~, I
 18 just don't want to be bothered; I'm not going to tell
 19 them what I know. Which puts a bigger burden on the
 20 school. And when you talk about apprenticeship you
 21 cannot do it with school alone. That's been proven
 22 year after year, ~~after year.~~

23 ~~Finally~~ ^{is that} another problem ~~that I foresee~~,
 24 ^{people} ~~they~~ keep saying that testing for apprenticeship
 25 programs ~~so on and so forth~~ is much too difficult for

1 women and minorities. I have a problem with that
 2 because these tests, ~~in my opinion today~~ are getting
 3 to the point where they're ^{are} so ridiculous, ^{Especially} when you
 4 put someone into a program that in my opinion is one
 5 of the most difficult programs anywhere. ~~I've ever~~
 6 ~~been~~ ~~I've~~ ~~been~~ ~~to~~ ~~a~~ ~~lot~~ ~~of~~ ~~schools~~ ~~and~~ I don't
 7 know if I could do today what my apprentices are
 8 expected to do.

9 Electrical alone, we use seven
 10 different textbooks in one year. Homework is
 11 astronomical, and the person is working a full-time
 12 job. The tests get to the point where these people
 13 cannot endure that type of a curriculum.

14 ~~And I have a problem with that.~~ If
 15 they can't read and read very, very well, we don't
 16 have time to put them through a remedial reading
 17 school. I have counseled several apprentices and
 18 told them, I think you should go to ~~the~~ college and
 19 take a reading skills course. The guy ~~says~~ or ~~the~~
 20 gal says, when can I do it? It's impossible. I
 21 really think a lot of these issues should be looked
 22 at and considered when they talk about apprenticeship.
 23 I think it's the best thing that ever happened to any
 24 craft in the apprenticeship program, but I see they ^{program}
 25 being destroyed by a lot of rules and regulations.

1 ~~that are set forth.~~

2 ~~So basically I feel I've tried to~~
 3 ~~answer these as well as I could, and if I went over~~
 4 ~~my time I apologize, but I have a tendency to get off~~
 5 ~~on tangents because I truly, truly believe in~~
 6 ~~apprenticeship and I truly believe most people do not~~
 7 ~~understand it at all.~~

8 One other ^{thing} ~~idea~~ we do ~~do~~ ^{Dol} ~~is~~ with Budd
 9 ~~Ramsey~~ and ~~through WACA, which stands~~ ^{the} ~~for~~ Western
 10 Apprenticeship Coordinators Association, ^{is} ~~we~~ put on
 11 ^{open} several meetings a year ~~that are open to these groups~~
 12 on women and minorities and apprenticeship, ~~and the~~
 13 ~~last one we had we put a lot of work into.~~

14 ~~I was president of the chapter and Bud~~
 15 ~~and I~~ ^{for the last such meeting} ~~lined up~~ a day at the college in the meeting
 16 rooms and brought all the coordinators in with all
 17 the information and printed up pamphlets and
 18 everything to present these to the people to really
 19 tell them what do they need to know to get into
 20 apprenticeship. Unfortunately, one person showed up.
 21 Just one. Now, that to me was very, very sad, ~~with~~
 22 ~~the work that we put into it.~~

23 There we gave the person the whole bale
 24 of hay like I gave to you today, and that's basically
 25 where we're at.

1 MS. NOZERO: All right. Thank you very
2 much, Mr. Linnert.

3 MR. ARBERRY: I have a quick question.
4 You mentioned that you put on a seminar. Was it
5 advertised at all?

6 MR. LINNERT: Yes, it was.

7 MR. ARBERRY: In the newspaper?

8 MR. LINNERT: It was not put, in the
9 newspaper because WACA as a group cannot finance that.
10 It was put in the college newspaper, and the college
11 sent out letters along with ^{DOL} ~~Mr. Ramsey's~~ office to,
12 ~~again, all these~~ minority and women groups ^{of which} ~~that~~ we
13 are aware, ~~of~~ I believe there was over 200. ~~Bud~~
14 ~~might be able to answer where they all went.~~

15 MR. ARBERRY: And only one person
16 showed up?

17 MR. LINNERT: One person. I don't
18 remember her name. ~~Do you, Bud?~~

19 MR. ARBERRY: ~~It's okay. It doesn't~~
20 ~~matter.~~ I didn't hear anything about it, and when I
21 hear things like that I try to get it out to people
22 because I get a lot of calls from people wanting jobs
23 and wanting information and if I had known about it
24 I'd spread the word.

25 MR. LINNERT: We normally put that on

1 every year at least once, and it's done through the
2 college.

3 MR. ARBERRY: Thank you.

4 MS. NOZERO: Next?

5 MR. BENZENBOWER: My ~~name is~~ Pat
6 Benzenbower, ~~and I'm with the~~ Bartenders Union. In
7 1981 I was put in charge of coordinating the
8 bartenders union and I had ^a ~~two~~ very basic problems
9 ~~Number One~~, what ^{EEOC was telling} Elliott ~~McCarthy~~ told me was in
10 direct violation with what the NLRB was telling me.
11 So I went to our attorneys, and he advised me that
12 whatever ^{EEOC} Elliott wanted, ^{EEOC} Elliott got.

13 At that time we ~~had~~ all my union
14 leadership ~~which~~ was very much opposed to women in
15 the craft. ~~There again~~, I had our attorney explain
16 to them what the consequences would be if we did not
17 try to provide ^{women bartenders} ~~these~~ for the hotels. Then came the
18 worst problem: I had no women. At that time women
19 were pretty much restricted to the small outlying
20 taverns and not the hotels.

21 So the first thing we did was ~~went~~ go
22 around to these people and told them if they would
23 like to move and become Strip bartenders, we'd be
24 more than happy to place them. Then we had the older
25 bartenders who resented them, and by our constitution,

1 it's first on the list, first ~~goes~~ out. That was a
2 problem I originally had with ~~Elcott~~ ^{LEOC}. And these
3 older fellas were resenting ~~these new women on board~~
4 going out as bartenders.

5 So in our collective bargaining
6 agreement we have ^a provision whereby the hotels can
7 ask for three applicants for each vacancy. So I
8 ~~would~~ send two of the older fellows and one female.
9 Of course the female got hired ^{and} ~~so~~ that took us off
10 the hook there.

11 Then we had another program whereby
12 people come in from other locals that says that they
13 must have a waiting period of 50 weeks before they
14 can go to work as a bartender. They can work as an
15 apprentice, they can sell shoes or whatever they want
16 to ^{but} they cannot go out as a bartender. We ~~d~~
17 immediately waived that. ~~then~~ ^Q the hotels were not
18 doing their part. At that time most of the people
19 were being hired by the bar managers. The bar
20 manager would interview somebody, and then send them
21 to personnel for processing.

22 So I went out and talked to a few of
23 the human resource people that I knew and said hey,
24 down the road you're going to have a problem. So
25 they reversed the procedure. The applicants would

1 then go to the human resource departments, where they
 2 would ^{be}screened. Then they would send the ^{applicant to the}bar manager
 3 to be placed where they were going to work.

4 ~~And~~ we also had a problem trying to get
 5 apprentices. We could not supply what the hotels
 6 were asking for. So again, back to the human
 7 resource people. And we asked them to research their
 8 other areas, primarily housekeeping, for transfers
 9 from that area into the beverage departments. ^{this} ~~which~~
 10 would be a definite promotion for most people, ^{and} ~~which~~
 11 really helped them because they had two ways to go
 12 ~~there.~~ ^{advance,}

13 They wanted black females, so a lot of
 14 maids ended up in the program, and it worked out well
 15 for the hotels. Then ^{KEOC} ~~Elliott~~ contacted me and sent
 16 me some reports that the hotels were turning in to
 17 see if I thought they were accurate. I found they
 18 had a very serious fallacy in their reporting. They
 19 would report extras as employees. They would hire a
 20 certain amount of extra employees, which showed as
 21 minorities and women on their reports, but by virtue
 22 of the fact they were extra employees, they weren't
 23 working, which created a lot of turmoil ^{until} ~~so~~ they got
 24 that straightened out.

25 Then we had one property that would

1 report for the quarterly report, they would take one
 2 particular day that they had a lot of females working,
 3 and that was what they were reporting. But we had
 4 other properties that went right to work and tried to
 5 get their minorities and their quota for female. By
 6 the end of it, all of the properties who were
 7 signatory to the consent decree pretty much fell in
 8 line and did what they were asked to do, and as far
 9 as I can tell, they are doing a good job of
 10 maintaining.

11 Now, you have other properties who were
 12 not signatory to that consent decree. To this day,
 13 they are still not hiring minorities or women. ~~And~~
 14 ~~we had~~ another problem with the hotels ~~it was our~~
 15 ~~problem and the hotels' problem,~~ ^{Some of} was these female
 16 apprentices, ^{were finding} it ~~is~~ hard work. ^{to move} ~~In the~~ cases of liquor ^{and}
 17 beer. ^{The old timers were not} ~~we're~~ not helping them.

18 So we went to the hotels and said hey,
 19 whatever you have to do to get the problem resolved,
 20 do it. Because we recognize that it's here to stay.
 21 ~~And~~ our apprentice program ~~virtually was a program~~
 22 ~~which was nothing~~ ^{is on} ~~but~~ on-the-job training. ~~Always~~
 23 before it was bartenders and barboys. With women
 24 going into the program ~~as~~ some of these young women
 25 objected to being called barboys.

1 So we came up with the word "apprentice
 2 bartender", which was completely untrue because we
 3 had no apprentice program. ~~So with our new union~~
 4 leadership ~~which~~ is very progressive, ~~we got~~ ^{and together} with Mr.
 5 Ramsey ^{of IRL} and decided to come up with a program. We
 6 figured it would probably take us two trips in front
 7 of the council to get it approved. We went one time,
 8 ~~and~~ they approved it. Great. Here we are, we've got the
 9 potato, what do we do with it?

10 We went to the university, and they
 11 were more than willing to let us use their facility
 12 at no cost. The only thing we had to do was leave it
 13 the way we found it. ~~We had~~ three of our bartenders
 14 who ~~had to~~ have teaching experience, ~~we~~ are using ^{ed}
 15 ~~them~~ as instructors, ~~on the preparation part of it.~~

16 We went to government agencies. OSHA
 17 has put on two classes for us. We went to the
 18 various hotels where we have human resource people ~~and had~~
 19 ~~them~~ put on classes. We have bar managers who have put on
 20 classes for us.

21 ~~We also have~~, besides the university,
 22 we have gone to different properties who have new
 23 setups ^{and} advanced equipment, ^{for example,} ~~such as yesterday we went~~
 24 ~~to~~ the Golden Nugget ~~which has~~ probably ^{has} the most
 25 elaborate beverage dispensing equipment in town.

1 They provided ~~that for us and provided~~ us with a
 2 bartender to demonstrate it, and also their
 3 bartenders is an ex-teacher, and had ~~again~~ rapport
 4 with the kids. The program is working out great. ^{although} ~~We~~
 5 ^{we} had no basic requirements to get into the program,
 6 ~~We~~ do require a high school education, and ~~we do~~
 7 ~~require~~ basic skills in English.

8 ~~Now,~~ ^{at} present we have 167 apprentices
 9 in this program. Our requirements are not by the
 10 year. They must have 2,000 hours on-the-job training,
 11 and 144 hours classroom. ~~We have made available,~~
 12 since our craft is a 24-hour craft and our classroom
 13 time at the university sometimes conflicts with ^{work} ~~a lot~~
 14 ~~of their~~ schedules, so one of the properties has
 15 provided us with a video recorder and a camera, and
 16 we also have our own camcorder ^{to} ~~that we~~ put the
 17 classes on tape, ^{so that we way} show them at the union hall at
 18 various times to make it available for everybody.

19 ^{of the} ~~Our~~ current figures, ^{of} ~~we have,~~ say, 167
 20 in the class, ^{are} ~~we have~~ 14 percent female; ~~we have~~
 21 six percent black; six percent Asian; 12 percent
 22 Hispanic, and 76 percent white. ~~That's all.~~

23 ~~MS. NOZ-ERO: Thank you very much, Mr.~~
 24 ~~Benzenbower.~~

25 ~~Mr. Kist?~~

1 MR. KIST: My ~~name is~~ Dennis Kist, ~~I'm~~
 2 president, ~~of the~~ International Alliance of Theatrical
 3 Stage Employees, Local 20, also chairman of Nevada
 4 Resort Association Local 720 Training Trust, ~~so I can~~
 5 ~~speaking in both capacities.~~

6 As far ~~as~~ a small ~~history~~ of our craft
 7 it's probably best that I explain ~~a~~ little bit to you
 8 what we do so I can explain our problems and how ~~we~~
 9 address them.

10 We are, ~~as Bartenders said,~~ a 24-hour a
 11 day craft. We provide stage hands behind the scenes
 12 at the showrooms on the Strip and downtown. Those
 13 are mostly nighttime jobs. We also have the wardrobe
 14 attendants back stage. We also do the live
 15 television broadcasts out of Las Vegas for any of the
 16 major sporting events, ~~or pretty much~~ ^{and} ^{of} any type of
 17 major television production coming out in Las Vegas,
 18 ~~we do that as well.~~

19 We also are involved in the movie
 20 industry, ~~such as Crime Story that's here now filming.~~ ^{and its filming here}
 21 We provide ~~employees,~~ local hires working for that.
 22 We also are in the audiovisual ~~convention area,~~ ^{and} ~~which~~
 23 ^{provide employees for} any conventions coming to town, ^{requiring} any type of
 24 theatrical ~~presentations~~ or audiovisual presentations,
 25 ~~the car shows that are in town, we do the work on~~

1 that. ~~So~~ we have a variety of different crafts that
2 we have to address.

3 So I wanted to at least let you know
4 what we're doing, or at least the work that we cover
5 because we are not like in the construction industry
6 where, if we have a job to do it may take six months
7 to complete our job project. When we dispatch an
8 employee to the job, that employee has to know what
9 he or she is doing to be able to complete that
10 project in maybe a four-hour span or three-day job,
11 that type of thing. We provide work for hotels or
12 clients that spend an inordinate amount of money in
13 this town to come and bring conventions here, so it's
14 very important that we provide qualified people to
15 the job.

16 With that in mind, when the consent
17 decrees came down, we were signatory to ^{both} ~~two~~ of the
18 consent decrees, the one that covers ~~the~~ black
19 ~~minorities~~, and also ~~another consent decree~~ that
20 covered hispanics and women. So we were faced with
21 the knowledge that we had to bring ⁱⁿ ~~the~~ minorities and
22 ~~the~~ women, ~~as well as being able to~~ supply ^{employees}
23 basically on a moment's notice. ^{in order} because our dispatch
24 office is opened practically 24 hours a day, ^{we} get
25 ^{from facilities staying,} calls we need ten carpenters, ten video electricians,

1 that type of thing, ~~immediately.~~

2 We have to be able to supply these ^{trained}
 3 people ~~that are trained~~ and not just say we need ten
 4 women on the list or 15 Hispanics or 20 blacks and
 5 put them on the job and then they ^{are} ~~re~~ going to learn.
 6 It ~~cannot~~ be done that way. It damages the employer,
 7 it damages the convention trade in town, and it also
 8 damages the reputation of the union, ~~which I'm~~
 9 ~~concerned about, as well.~~

10 ~~In the consent decree we were required~~
 11 ~~in the black consent decree~~ ^{to take in a certain}
 12 number of blacks to train them and place them first
 13 ^{from} ~~on~~ our hiring hall list ~~and then~~ out to the jobs. ⁱⁿ
 14 a minimal amount of categories. They basically were
 15 referred out to the nighttime Strip jobs, which are
 16 not as hectic because ^{- Strip shows are} ~~it's a routine jobs that they do~~
 17 ~~on the Strip shows.~~

18 ^{In} ~~On~~ the Hispanics and women ^{Consent decree,} we were
 19 required to take a certain amount of Hispanics and
 20 women ^{from} ~~on~~ a variety of our different seniority lists,
 21 ~~which we complied with~~ to the best of our ability.

22 ~~As I said, we also represent wardrobe~~
 23 attendants which ^{historically has been} ~~is~~ primarily a female category
 24 ~~historically,~~ although we ^{have} ~~ve~~ ^{been} ~~got a reverse problem in~~
 25 ~~there as trying to get males in there,~~ ^{to that category.} although ~~we're~~ ^{are}

1 not under any requirement to do so. ~~The job just~~
 2 ~~makes it~~ ^{is} difficult to get males to take that type of
 3 work. ←

4 ~~However, on the reverse,~~ because we do
 5 represent those people, we found it extremely easy in
 6 the last six or seven years to ~~now~~ train female stage
 7 hands simply because of the history of the
 8 negotiations and the history of the craft. The pay
 9 is higher for the stage category than it is for the
 10 wardrobe category, therefore ~~it's the~~ ^{there is an} economic
 11 incentive for them to get into that category, ~~as well.~~

12 ~~As far as our training program is~~
 13 ~~concerned,~~ we don't have a formal apprenticeship
 14 program. ~~What we do have is~~ we have a trust fund setup
 15 ~~that is~~ funded by the employer through the collective
 16 bargaining process. It is set up with three
 17 management trustees ^{and} three union trustees. We have a
 18 training coordinator ~~that's~~ hired and paid by the
 19 trust and it's a separate entity, ~~separate and~~ apart
 20 from the hotels and the union.

21 We provide training classes in
 22 carpentry, welding, rigging, projection, television,
 23 wardrobe, electronics, all the variety of the crafts
 24 that we have to know in order to do our job. These
 25 classes are open at no cost to ~~anybody that wants to~~

7
 1 ~~take those classes, as long as they are~~ registered
 2 with the union.

3 ~~As I said, the problem we have is~~
 4 because it's a 24-hour job, someone may be working a
 5 nighttime job and may have to go in ~~in~~ the daytime
 6 for some type of maintenance work or convention ~~type~~
 7 ~~of thing~~, and ~~it~~ ^{this} may disrupt ~~the~~ training. So we
 8 don't set any ~~certain~~ ^{limit} number on ~~how many are taking~~
 9 ~~the class.~~ ^{size} We set up the class, ~~there's~~ ^{that} no cost ~~to~~
 10 ~~them,~~ ^{and} so if they ^{member} complete the class they get credit
 11 ~~for it~~ and then ~~they will be qualified~~ in that
 12 particular category. If they don't complete the
 13 class it's ~~open for them to take at another time~~ ^{available} when
 14 their work schedule ^{may} will allow ~~them.~~

15 ← We ~~have~~ found over the ~~and~~ and this has
 16 ~~really gotten into gear over the last six years,~~ ^{that} we
 17 ~~have found for instance in the last~~ ^{these classes have been popular.} in 1985 and 1986
 18 we trained ~~probably~~ in excess of 200 people ⁱⁿ a
 19 variety of jobs. ~~In that~~ ⁹¹ our reporting requirements
 20 under the consent decrees have expired ^{and} we don't have
 21 to file those documents with the federal court.

22 The position we have taken over the
 23 last ^{few} years, and I think it's a ~~correct one to take,~~
 24 is that we ^{are} not looking for any certain ~~number of~~
 25 quota, we ^{are} ~~are~~ not looking for so many of this or that.

1 We ~~are~~ open to everyone who wants to take the classes.
 2 We dispatch on a non-discriminatory basis, and we
 3 think that's the correct position to take. ~~Any~~ I
 4 am not aware of any problems with anyone being
 5 referred to the job or being trained that ~~they~~ were ~~then~~
 6 denied ~~either one of those things~~ on the basis of
 7 their sex, ~~or their~~ color, ~~or their~~ ethnic background,
 8 or religion.

9 We refer the people to the jobs, but
 10 obviously when they get to the jobs ^{ies,} we have no
 11 control over who the employer will ~~or will not~~ hire.
 12 We ~~don't~~ ^{are not aware} know of any ^{discrimination} problems with any of the hotels
 13 ~~in which there's any type of discrimination~~ once the
 14 people have been referred ~~out~~.

15 Historically, our union is a small
 16 craft union, ^{of} ~~we have~~ approximately 800 members. When
 17 we were ~~first~~ hit with the first consent decree we
 18 were ~~probably~~ ^{of} at about 200 to 300 members, ~~with~~ a
 19 small father-and-son local. ~~As far as the positive~~
 20 ~~things with what~~ the consent decree ~~did is it~~ forced
 21 the union to change that. ~~It forced the union to~~ ^{and}
 22 take in people who were not relatives ^{of} ~~with~~ someone
 23 who started the union. ~~So~~ ^{the} doors are now open for
 24 ~~The~~ minorities and for ~~the~~ women to come in and take
 25 ~~the~~ ^{training and be referred to} jobs.

1 ~~We did find an initial problem~~ ⁹¹ when we
 2 started training ~~of~~ women, ~~in~~ ^{we found} that with ~~the~~ historic
 3 biases, ~~the~~ women ~~would~~ immediately ~~begin~~ ^{older workers would place} the heavier
 4 jobs and ~~automatically being~~ ^{we found that women were} disqualified because they
 5 ~~would~~ not do it. Over the last six years, with the
 6 greater influx of qualified women and minorities, I
 7 have not seen that to be the case, ~~as of late~~ ^{and} so I
 8 don't think that problem exists, ~~out there~~. The older
 9 members and ~~maybe the~~ lower level supervisors are ~~now~~
 10 accepting the change that has come about.

11 ~~The only problem that I would say, and~~
 12 ~~it's something that we can't control.~~ We have a
 13 hiring hall list ~~where it's a~~ ^{which is} rotational, ~~list~~. The
 14 first name up is the first name out, and after you
 15 finish with a job you sign it and you go back on the
 16 ~~back of the list.~~ ^{bottom.} There is ~~one~~ ^{one} part of the
 17 collective bargaining agreement ~~which the~~ ^{allows} employers ~~to~~
 18 ~~can~~ request someone that ~~s~~ worked for that employer
 19 ~~for~~ ^{during} the last six months, ~~so they~~ ^{Employer} request them by name
 20 and we ~~cannot~~ ^{cannot} control who they may select.

21 ~~But like I said, normally -- I think it~~
 22 ~~really is the truth,~~ that ~~because~~ of the type of
 23 craft that we have, you make your living by
 24 reputation, ~~and your~~ ^{skills} & abilities and
 25 ~~work and you're~~ ^{Your} willing to work. ~~That there's~~ ^{we have found} really

1 not ~~a~~ discriminatory practice in ^{these} that letters of
 2 request because we ~~have now found that~~ as the people
 3 ~~take the classes,~~ ~~the women and minorities,~~ ^{take the} take the
 4 ^{classes} classes, they ^{also} ~~too~~ ^{receive request} get on the letters ^{from} ~~requested by the~~
 5 particular employers.

6 ~~So~~ I think the program that we have is
 7 good, ^{has} ~~it's~~ been successful, ^{and} ~~it's~~ cured a lot of
 8 problems that ~~I think~~ the federal government ^{identified} sought
 9 with our union back in the seventies, ~~and I am~~ not
 10 really aware of any significant problems with any
 11 employers as far as any ~~type of~~ blatant
 12 discrimination.

13 ~~MS. NOZERO: Thank you very much, Mr.~~
 14 ~~Kist.~~

15 ~~Mr. Cohen?~~

16 MR. COHEN: ~~Thank you. My name is Paul~~
 17 ~~Cohen, I'm administrative assistant to "Jimmy"~~
 18 ~~Arnold who is secretary/treasurer, and I'm here~~ ^{Culinary workers.}
 19 ~~because Jimmy just got elected a couple months ago,~~
 20 ~~and he really isn't aware of the historical~~
 21 ~~background of the two consent decrees. I came on~~
 22 ~~board in 1981 with a new administration then that had~~
 23 ~~a whole different approach, and I'm glad Pat made the~~ ^{that}
 24 ~~comment regarding the Bartenders because the~~
 25 ~~Bartenders were of the same venture until they~~

~~and~~ realized ~~that~~
 1 received a new administration that said we've got
 2 some things ^{had} to ~~do~~ ^{be done}.

3 I think the consent decree triggered
 4 and motivated some people to ^{initiate} get some ^{changes} things done,
 5 ~~that goes without saying~~. The Culinary Union is
 6 probably the least skilled of the unions that were
 7 involved in the consent decree. We basically have
 8 three major sections: ~~We have what we call the front~~
 9 end, ^{OK} ~~which is your~~ food servers, cocktail waitresses,
 10 maitre d' and captains. Those are called glamour
 11 jobs; ↗

12 ~~Then you get to the back end, and you~~
 13 ~~deal with the maids, and the shampoo porters, and the~~
 14 guest room attendants and the people that do all the
 15 cleaning up; ~~the cleanliness, if you will.~~ ^{the kitchen}

16 ~~Then we have people that prepare the~~
 17 food, dish it up, cook it, ^{and} get out dishes ~~and so on,~~
 18 ~~which is our kitchen.~~ ⁹¹ You really don't have to have

19 a super amount of skill to be referred out under our
 20 system, because ^{Nevada is} ~~under~~ a Right to Work state ~~which~~ ^{and}
 21 ~~Nevada is~~, we are a ^(P) ~~referrable~~ union, ~~and~~ anyone can
 22 come in, ~~and~~ register with us and sign ~~us~~ up for two
 23 classifications.

24 We have seven categories of experience.
 25 Someone with no experience, someone with 500 hours,

1 someone with 1,000, and then someone with over 2,000
 2 which equates to over a full year of experience. ~~But~~
 3 we get a call ~~in~~ from ^{LA} ~~the~~ hotel and they say we ^{would} ~~d~~
 4 like to have ~~-- we've got~~ two temporary or two steady
 5 extras or two steady extra food servers. They say
 6 send out five of your most experienced. We send out
 7 five people, and they basically are sent out on when
 8 they clocked in, ^{at the Union Hall and} ~~and based upon~~ their experience.
 9 ^{when those individuals get to the site,} ~~Then~~ the hotel decides when they get
 10 there who they wish to hire, which ^{This led} ~~it will lead into~~
 11 one of the problems that ^{the Bartenders union faced regarding} ~~Pat~~ talked about between
 12 what ~~we saw~~ what the hotels reported to Mr. ^{ESOC} ~~McCarthy~~
 13 and what we reported.

14 ~~The efforts that are made,~~ we do not
 15 really have any apprentice programs, ~~again~~ because of
 16 the skill ^{involved.} ~~things.~~ We do things to encourage. There
 17 has always been a captains board, ^{composed of those} ~~and these are the~~
 18 people that seat you at the tables, and these are the
 19 ones that make sure everything goes right. These
 20 people have to take a written and oral examination
 21 with a five-member board, ^{not an entity of} ~~and it is freestanding from~~
 22 the Culinary Union.

23 ← Prior to the consent decree, all five
 24 members of that board were males. There is now one
 25 male, one female and ~~I believe~~ two minorities on that

1 five-member board. To be eligible to take that test
 2 and that interview, a person had ^S to have one full
 3 year in the industry.

4 Since 1981 there ~~was a~~ ^{has been} dramatic
 5 increase in the number of minorities and females
 6 because ~~the heretofore,~~ ^{prior to that time,} like Pat said, it was like a
 7 closed shop. Bartenders were males and the maids
 8 were female and so on down the line. ~~With the~~
 9 ~~consent decree in coming to the union in 1981,~~ ^{the} I saw ~~in~~ ^{triggered}
 10 a dramatic change ~~there~~ because there was ~~a~~ ^a very
 11 conscious effort to do so. ~~Because~~ ^{if} we could not
 12 comply with ~~that category of~~ the consent decree, then
 13 the hotels could say well, we cannot do it because the
 14 unions aren't referring ~~us these~~ people who meet
 15 those requirements.

16 ~~So we were able to get that on, and~~
 17 ~~that is a dramatic change. The situation of overall~~
 18 ~~perceptions in what has gone on is basically the~~
 19 ~~nature of the animal.~~ [†] The backbone of a union
 20 contract is seniority, and that was always a problem
 21 in the area of compliance with the consent decree.

22 ~~However,~~ [✓] however, by working with the hotels and
 23 ~~working with the different unions involved, including~~
 24 ~~ours, as Pat mentioned from Local 165, the bartenders,~~ ^{etc.,}
 25 we were able to circumvent ~~or short circuit~~ the

1 seniority, because we knew, by the nature of the
 2 history of the organization, ~~you were not able to~~
 3 ~~comply because~~ you wouldn't get ~~these~~ people to the
 4 top because they never had the experience. *This was so*
 5 Especially ^{in a position} in the front end, the cocktail servers,
 6 sauciers, sous chefs, ^{positions} people that ~~have had to have~~ ^{required}
 7 skill levels to move up the structure, ~~because they~~ ^{These skills}
 8 basically ^{learned} got promoted ~~from within the existing~~
 9 structure, ^{allowed promotions,} I think that ~~has~~ dramatically changed
 10 within the last six years.

11 The problem that we had being a
 12 referral union, is that we reported every referral
 13 that we sent out. Again, if we sent out five people
 14 for one or two jobs, we would show that we sent out
 15 five people. The hotels would report that they only
 16 hired one, and until we got the hire slip we did not
 17 know who in fact had been hired. ~~And then~~ since 1984
 18 ~~I can tell you~~ there has been a tremendous increase
 19 in the amount of extras, ~~or~~ steady extras ^{and} ~~or~~ people
 20 who are brought in for short time positions and then
 21 put into a layoff status and then put on a recall
 22 status.

23 I can count the number of full-time
 24 jobs ~~that we get~~ called in to the union in the last
 25 12 months because you ^{now} have ~~the~~ people who have

1 stabilized, and now they're saying we're going to
 2 have special events that ~~we~~ need extra people. ~~This~~
 3 ~~is~~ above and beyond our banquet people who do nothing
 4 but work as food servers in special events. But with
 5 the onset of the corporations and their tremendous
 6 increase in the Convention Center facilities and the
 7 efforts between the hotel industry and the Convention
 8 Center, we have seen a tremendous influx of those
 9 needs.

10 On the other side with the tremendous
 11 increase of construction, ~~going on~~, we cannot today
 12 supply all of the hotels' needs in some
 13 classification, specifically maids. ~~And if you look~~
 14 ~~in the paper today, even~~ we are advertising, and we
 15 have gone out to try to attempt with ^{employment security and} other agencies,
 16 to ^{recruit} bring people who go through a screening program.
 17 ~~We work very closely with the employment security~~
 18 ~~program.~~

19 We work very closely with welfare, with
 20 the Community College, and ^{with} any sources ^{where} that we can
 21 find people who have a work ethic, who want to come in
 22 and make a reasonable, guaranteed wage in a non-
 23 skilled area. And it is very difficult, ~~and~~ now
 24 we're faced with the Riviera building another
 25 thousand rooms, the Flamingo Hilton's going to go

1 with another 800 rooms and other additions going on,
 2 and with ~~people~~ ^{developing} building down in Laughlin, there's
 3 going to be a tremendous drain on our current
 4 resources.

5 Again, these are non-skilled areas
 6 because to go out and teach someone to clean a hotel
 7 room does not take an awful lot of skill. It just
 8 takes a lot of tenacity and ~~a stay with it attitude.~~ ^{stick-tiveness.}

9 ~~Other projects we've done~~ ^{if} ~~in~~ ^{an} attempt to
 10 try to make things easier for people, ~~through~~ ^{IN} the
 11 last three years through the Clark County Community
 12 College ^{we} have had English as a second language that
 13 we ^{have} been ~~running~~ ^{offering} at the union. We provide the
 14 space, and ~~"Val Garner's" group there at the~~
 15 Community College provides us with a teacher.

16 ~~That~~ ^{program} is open to union members and their
 17 family dependents if they wish, ~~to come in.~~ And with
 18 ~~the number of agents which we now represent as ten~~
 19 ~~percent,~~ Hispanics are now 16 percent of our union, so
 20 we do have a definite need to continue that program,
 21 ~~and that will go into~~ ^{which} ^{begins} its fourth year.

22 ~~Also worked very closely with the Vocational~~ ^{if we have}
 23 Tech, trade school ~~the white Elephant~~ ^a a few years ago.
 24 ~~Now it's hard to get into that place. We work with~~ ^{although with demand for programs,}
 25 ~~Chef "Cane". Those students put automatically into~~ ^{now}

1 the higher entry level, because ^{that} they have gained
 2 academic skills in the culinary arts ^{are automatically placed at}
 3 ← We work ^{ad} very closely with ~~the~~ CETA
 4 ~~program~~ when they used ^{had} to have their culinary arts ^{programs} ~~as~~
 5 well. We work with any agency and any organization
 6 that has training programs. ~~But~~ ^{OK} unlike the Operating
 7 Engineers, Stage ~~#~~ Hands and Bartenders, ^{which are} ~~that's where~~
 8 ~~you get into~~ skilled areas, ~~and~~ the promotions to
 9 become a chef, ~~which is~~ a non-classified position, is
 10 an appointment by management. X
 11 But to be in the other skilled areas.
 12 X the chef can move people and they like to come in and
 13 train their own. They would like to take a young man
 14 who ~~has~~ been a busboy, ^{and make him} to become a waiter, ^{than a} to become a
 15 captain ~~and so on~~ if you pass the test. The ^{chef} will
 16 take a dish person and ^{train them to be} try to get them a saucier, ~~and~~
 17 then ^a sous chef. ^{In the kitchens of} because each hotel ~~basically~~ there is
 18 ^{basically} a kingdom ^{unto} under itself. ~~Given the fact that we have~~
 19 ~~been given our assignment of the consent decree, the~~
 20 ~~only comment I can make on that, as far as the excess,~~
 21 ^A ^{believe} ~~is~~ we ~~feel~~ that we have complied to the best of our
 22 efforts in providing the work force to the hotels to
 23 comply with the consent decree. ~~and~~ ^{we} are very happy
 24 that all we have to do now is ~~just~~ provide the EEOC ^a
 25 report every year as a referral under the Civil

1 Rights Act of '64. ~~Thank you.~~

2 ~~MS. NOZERO: Thank you very much.~~

3 ~~Questions from members of the committee?~~

4 ~~MS. DELUCA: I do.~~

5 Mr. Cohen, is there an effort to
6 recruit males for maids?

7 MR. COHEN: ^{Yes.} ~~You'd better believe it.~~

8 ~~It's -- I got to tell you something. With the~~
9 ~~Hispanics, it's almost like a macho thing. But again,~~
10 ~~when someone signs up, we tell them, You can sign up~~
11 ~~for two classifications. You can sign up as a food~~
12 ~~server, and a maid. And we tell the people what our~~
13 ~~needs are. If a man came up to me right now and said~~
14 ~~I want to be a maid, I got him a job. I'll send him~~
15 ~~out today. That's not happening. It's very~~
16 ~~difficult to get ^{males} these people to go to -- ^{skt.} we do have~~
17 ~~some, however.~~

18 ~~In other areas, people just say we're~~
19 ~~not going to do it. This is one of the things we're~~
20 ~~working very closely with state and welfare with that~~
21 ~~new program the legislature's got in. What we've~~
22 ~~been attempting to do, and they do a screening~~
23 ~~program, we waive the registration fee. And we will~~
24 ~~do it in those areas in which we have immediate job~~
25 ~~openings because the thing we do not want to do is~~

1 have these people come down and get frustrated.

2 That's what happened before. ~~And the welfare problem~~
3 ~~is monitoring these people.~~

4 But they'll come in just like ~~anyone~~
5 else. We don't put a scar on or tag on. They come
6 in with a slip just like Employment Security does and
7 other programs that we work with. Come to our
8 cashier, register, they get their slip and they're
9 sent to the dispatcher and the dispatcher knows only
10 that they were sent by state welfare, and they are
11 here for specific jobs.

12 But they do not pay their \$15, and we
13 will send them out immediately. But they do a
14 screening program for us, and that's very important.
15 It saves a lot of animosity and aggravation.

16 MS. DELUCA: Sounds like a change in
17 the job title Maid might be useful.

18 MR. COHEN: ~~well,~~ historically they ~~are~~
19 called room attendants, ^{now} we call them guest room
20 attendants. ~~They work in the restrooms. We call -~~
21 ~~they used to be called housemen,~~ ^{we} ~~now~~ we call them house
22 persons ^{who} ~~now,~~ ~~and these basically are house men that~~
23 work in the porter area. You try to come up with
24 generic names for these, but when you say you ~~are~~
25 going to be fixing beds, you ~~are~~ a maid.

1 MS. BERKLEY: A rose is a rose.

2 MS. DELUCA: Do you see very many
3 female captains and/or chefs?

4 MR. COHEN: I don't think I've ever seen
5 ~~seen~~, in the six years I have been here in Las Vegas, a
6 female chef, ~~yes~~. But ~~on the~~ captains, yes, ~~male~~
7 we sure do. We do have ^{female} captains that are on the list.

8 MS. DELUCA: I have more questions, but
9 maybe someone else would like to go first before I
10 get organized.

11 MR. TETREAULT: I have a couple
12 questions, especially in the area of the operating
13 engineers. If I understand your presentation, how
14 does a minority, someone say in the ghetto with a
15 limited education, how can they possibly get into
16 your program and expect to get a position later on
17 with the union?

18 MR. LINNERT: In the apprenticeship
19 program or with the union?

20 MR. TETREAULT: Well, I assume when you
21 use the term "dispatch", you're sending over a
22 candidate to the union --

23 ^{LINNERT:}
MR. ~~COHEN:~~ The union is totally
24 separate and they have this open enrollment that ^{Mr. Callan} ~~Paul~~
25 is referring to.

1 MR. TETREAULT: If the minorities don't
2 get onto your enrollment, then the unions can't hire
3 the minorities, the way I understand it.

4 ^{LINNEAT}
MR. ~~COHEN~~: ~~There again too,~~ that's the
5 way I feel I've been discriminating because we do
6 reach down and get them. ~~Which I feel are~~ against
7 our selection procedures. In other words, I now have
8 two Hispanics in this last opening that I dispatched,
9 one American Indian, two female and one Asian, I
10 believe. ~~If my memory serves me right.~~ Those people
11 were reached for because of goals and timetables.

12 MR. TETREAULT: Through affirmative
13 action hiring; is that right?

14 ^{LINNEAT}
MR. ~~COHEN~~: Basically yes, but really
15 no. They were just reached for. Call it a dual list
16 if you want. We don't really have such a list, and
17 that's my problem. I feel I'm in violation of that
18 selection procedure, like I tried to bring out,
19 because I'm discriminating against 25 white males
20 that are before them, and without a law or a rule
21 that says I must do this, who do we come back to? Is
22 ~~the point I was trying to get across.~~

23 We have -- you know, we've made this
24 effort now before 1980, but have really pushed it
25 beyond. I've had a couple of white males come back

1 to me and said hey, partner, my score was higher.
 2 That list is posted out there. Why didn't I get that
 3 job? My only out is I refer them to Budd Ramsey. I
 4 said you call the man that tells me I had to do what
 5 I did.

6 MR. TETREAULT: ^{Do the decrees} ~~Doesn't it offer~~
 7 representation ~~by~~ as far as reverse discrimination
 8 claimy?

9 MR. ^{LINNEAT,} ~~COHEN~~: First of all, I ^{have} never
 10 seen a consent decree. Second of all, ~~again, every~~
 11 ~~seminar I attended~~, there ^{is} no such thing as reverse
 12 discrimination. It ^{is} just who do we discriminate
 13 against. So I ^{am} concerned about it. I brought that
 14 issue up as a concern, and I think it should be
 15 looked at, ~~as to, you know, how do we protect~~
 16 ~~ourselves?~~ I really think we're opening a door that
 17 could create a monster, and you ^{are} seeing more ~~and~~
 18 ~~more~~ of it in the courts, ~~today.~~

19 ~~MR. TETREAULT: Thank you.~~

20 MR. RAMSEY: I also want to reiterate
 21 the fact that once he does turn out the apprentice,
 22 it ^{is} no longer counted, ~~and~~ ^{that} ~~is~~ the whole idea of
 23 ~~apprenticeship is~~ ^{the program} to get journeyman, Not to get
 24 people in apprenticeship, ^{but} ~~no.~~ To get more skilled
 25 people on the job. My department, the state,

1 everybody else, when you ~~have~~ really reached out and
 2 done something good, it's a minus. There's a
 3 negative in front of it because they ~~are~~ gone. And
 4 that's really what you're after, ~~not apprentices;~~
 5 journeymen, ~~not apprentices.~~

6 MS. DELUCA: ~~I'd like to say I~~
 7 ~~appreciate everyone's comments, including Mr.~~
 8 ~~McCall's. They've all been very informative and~~
 9 ~~interesting. I would like to ask just a couple other~~
 10 ~~questions of Mr. Linnert. I know it sounds like~~
 11 ~~you're putting lots of energy into bringing~~
 12 ~~minorities and women into the training program. Do~~
 13 you go into the high schools and schools?

14 MR. LINNERT: Yes, I do. In fact ~~alone,~~
 15 last year ^{alone} I spent one whole day in a careers class at
 16 Chaparral High School. We used to do this as a group,
 17 but we ~~are~~ finding it much ~~much~~ more difficult to just
 18 go in and take a class over. Some instructors don't
 19 like it, so we do a lot of it through the college.

20 But this particular careers instructor
 21 asked me if I would come out and talk. I spent the
 22 day there, and ~~just to give you an idea, I did~~ put
 23 together a little questionnaire ~~thing~~ for the people,
 24 and out of ~~a day, I didn't actually -- I don't~~
 25 ~~remember the figures, as far as percentages, but out,~~

1 ~~of~~ that entire day, I had zero amount of ^{Students} ~~people~~ who
 2 ~~can~~ ^{could} tell me what a union was, and only two that knew
 3 what an apprenticeship program was, ~~only two.~~

4 ~~And to me that was sad,~~ with all the
 5 information that goes to the schools pertaining to
 6 apprenticeship, they really don't know what it is,
 7 They truly don't know, and they are not prepared for
 8 it when they come to us to apply.

9 MS. DELUCA: Thank you. I am a former
 10 schoolteacher myself. It's been many years. I know
 11 most counselors try and stay aware of these things as
 12 best they can.

13 MR. LINNERT: ~~What I've found, and I~~
 14 ~~don't want to step on any toes here, what I've found~~ ^{that}
 15 ~~is most teachers try to stay abreast of most~~ programs
 16 that are ~~there,~~ ^{available} but they cannot possibly understand
 17 them. If I ask you what ~~is a~~ ^{the} curriculum ^{is} for getting
 18 into my program, I ^{am} sure ~~you'll~~ ^{you} tell me ~~you don't~~
 19 know, ~~or any other program in this state.~~

20 ~~Whereas I feel~~ ^{if} a counselor had Mr.
 21 Ramsey's ^{tele} phone number and ~~said hey~~ ^{told the student if} you want to know
 22 about apprenticeship, call this man, ~~And that man~~ ^{he}
 23 will refer you to the program that ~~you want to talk~~ ^{ways are interesting}
 24 ~~to.~~ ^{You.} ~~And~~ I talk to anybody that calls me. I've been
 25 told I spend too much time on it, but I believe ~~in it,~~

1 ~~and I believe~~ that if people would understand what
 2 they were getting into ^{there would be less} ~~now that's~~ another problems.
 3 ~~here with the women, that we've all kind of implied.~~
 4 One brief thing, ~~I had~~ a woman ^{came to me} one day
 5 ~~who came to me~~ crying ^{about} ~~who had~~ a remodel in a hotel.
 6 she's a very small individual ^{and} / They gave her the job
 7 of jerking the toilet off the floor in the restrooms.
 8 She couldn't break that seal. ^{to} ~~she couldn't~~ do it.
 9 She came into class that night, ~~she was~~ crying and
 10 ^{said} ~~says~~ "They're going to fire me, I can't do the job."
 11 I said; "Okay, let's talk about it."
 12 ^{we} I put our heads together. I cut two
 13 two-by-fours. You put one on the floor, one under
 14 the lip of the toilet, and you kneel down on it and
 15 you pop it off and anyone can drag it. She took her
 16 two two-by-fours the next day, kept up with everyone
 17 else and everyone was happy. But if someone doesn't
 18 take the concern to do that, then everyone is hurt.
 19 ~~And it's an ongoing thing, it snowballs and I'm~~
 20 ~~worried about it.~~

21 MS. DELUCA: ~~I'd like to see, just~~
 22 ~~having been a former teacher, I'd like to see an~~ ^{Can}
 23 organization such as yours be even more aggressive
 24 about getting into the schools? [?] ~~I know everybody has~~
 25 ~~their limit of resources. I used to have union~~

1 representatives into my classrooms to speak. It's
 2 just that the demands are so great in the schools
 3 with the counselors and the teachers that someone
 4 needs to come and say we want into every classroom in
 5 this high school this year. We want in here, let us
 6 in.

7 MR. RAMSEY: The last two years in a
 8 row I have sent letters to every single high school,
 9 volunteered ^{my} my time to speak, ~~to~~

10 MS. DELUCA: Great!

11 ~~MR. RAMSEY:~~ Last year out of every
 12 high school I was invited to five. Three of them ^{in Southern Nevada}
 13 ~~know~~ are repeaters that will always call me. ←

14 ~~The~~ ^A new thing that's happening ^{is that} right
 15 ~~now through~~ the Economic Security Department, ~~the way~~
 16 ~~everything else is going is the world of computers.~~
 17 ~~Right now we're~~ inputting all ~~Carson City~~ ^{for Carson City} All the
 18 apprentice information ~~into the~~ computers that will
 19 be available to the various schools. The problem is
 20 that they ^{Program} cost money and the schools are going to
 21 have to come up with it.

22 But all sorts of career information,
 23 ~~including a little quiz to what to do. You like to~~
 24 ~~do this, that or the other.~~ But every year I have
 25 sent out and I thought my response has been very,

1 very poor.

2 MS. DELUCA: I'm glad to hear that
3 you're doing that. I think you're all doing
4 marvelous things.

5 May I ask another question, Madam
6 Chairman?

7 ~~MS. NOZERO: Yes, you may.~~

8 MS. DELUCA: Mr. Benzenbower, I know
9 you mentioned that other properties that weren't
10 signatories to the consent decrees, ~~that you felt~~
11 ~~they~~ were not hiring women and minorities. Do you
12 still ~~feel that way?~~ *believe this to be true?*

13 MR. BENZENBOWER: Very definitely.

14 ~~MS. NOZERO: Marge?~~

15 MS. PISCEVICH: ~~Thank you. Any of you~~
16 ~~gentlemen, have you seen any --~~ I understand what
17 decrees do and what consents do and what you have to
18 do, and as a result of what you have to do, have you
19 seen any biases exhibited by supervisors or people
20 higher up in your unions against minorities and women,
21 once you've placed them? ~~Like to make the job more~~
22 ~~difficult, to try and get them out of it? Anything~~
23 ~~like that?~~

24 MR. KIST: ~~I was just going to say that~~
25 ~~those are some things that,~~ whether or not it's union

1 or management, you can't control those things. Those
 2 are just some inherent biases that some people have.
 3 ~~I think~~ ^{since it began as} in ~~that~~ my union, ~~as I said~~ was a smaller,
 4 father-son type of union, ~~that~~ I think in my older
 5 members you're going to still see that. ~~But you know,~~
 6 they're not always in a position to make their biases
 7 affect someone else's job.

8 ~~As you heard with the Bartenders and~~
 9 ~~with Culinary, in my particular union I came here in~~
 10 1981 ~~as well,~~ and probably because of ~~my age~~ ^{the time,} and also
 11 ~~maybe some of the other people that came in with me,~~
 12 a lot of those inherent biases went by the wayside.
 13 You're always going to have that type of bias in a
 14 union with a history ~~that mine has.~~ ^{like ours} ~~But as far as~~
 15 the administrative level, ~~my~~ ^{including the} executive board and the
 16 officers of the union, ~~we~~ keep an eye on ~~it if~~
 17 ~~there's~~ any charge like that.

18 ~~But for instance, like I said,~~ when we
 19 initially started referring ~~the~~ women, I personally
 20 saw several instances where women were ~~put on~~ ^{placed} lifting
 21 counter weights that some of the smaller males
 22 could not lift. So if we see something like that we
 23 do take issue. ~~that~~

24 MS. PISCEVICH: What do you do in terms
 25 of ~~the~~ education or awareness ^{for} ~~of~~ those ^{who are} ~~kinds~~ of

not management or executive?

1 ~~things with the people that are there working on day~~
2 ~~level? Not the, quote, administrator?~~

3 MR. KIST: Well, if it's on a
4 day-to-day level, I think just the influx of ~~the~~
5 younger ^{members} and ~~the~~ minorities have helped because when
6 there's just one person on the jobsite, ^{la} ~~one~~ black
7 goes out on the job and everyone else is white, well
8 ~~certainly he's going to~~ ^{may} have some problems. But when
9 more and more come in, more minorities and more women,
10 ^{are at the sites,} the older memberships are ^{not} going to ~~naturally not~~ have
11 the ability to be overbearing with these people,
12 ~~because they no longer are the majority. So it's~~
13 ~~just~~ I don't think there was any formal thing we
14 did, it was just a natural consequence of the consent
15 decree forcing people to go out there in the work
16 place.

17 ^{are there any} MS. PISCEVICH: ~~But there's really no~~
18 affirmative steps taken like education or awareness
19 ~~or anything like that~~ within any of the unions?

20 MR. LINNERT: Yes, I feel we do. I
21 will personally go out to a job and counsel the
22 journeyman if I'm having a problem with a journeyman,
23 or the entire shop. In some cases I have had to go
24 out and the chief engineer has given me permission to
25 come in around coffee break time and explain reality

1 to them. That this individual has as much right
 2 there as anybody else, as long as they do their job
 3 and they do it well, treat them like a person. ~~Let's~~
 4 ~~get away from this other thing.~~

5 One of ~~my problems, though,~~ ^{the problems} that I was
 6 going to bring up ~~to~~ ^{to} management, is ~~those~~ ^{there} are people
 7 I personally cannot get to. I cannot talk to. ~~And~~ I
 8 have had a couple, not a lot, one particular property
 9 owner just blatantly said, "I will not have a woman in
 10 that group." I dispatched her, she was hired, she
 11 made it two months and she was terminated definitely
 12 for other reasons which caused tremendous problems.
 13 But the termination wound up sticking and I was told
 14 to back away from it only because of very, very
 15 severe conflict in other areas. So I feel in some
 16 cases it is still there, but I feel we ~~we~~ tried to
 17 eliminate it.

18 MR. COHEN: ~~On the Culinary side, you~~
 19 ~~ought to look at the~~ ^{away the} collective bargaining agreement
 20 ~~the way it's~~ ^{for Culinary workers,} set up. A person can be sent out ^{to a job site} and
 21 ~~they can~~ be terminated without cause with less than
 22 40 shifts. After they reach their 14th shift, ^{for example,} they
 23 ^{be terminated} can ~~if they fall~~ ^{with} in the collective bargaining
 24 agreement.

25 If someone comes down and wishes to

1 file a grievance and in that investigation they feel
 2 they ~~have~~ been discriminated against, ^{they} ~~are~~ not considered
 3 for an increase, ~~or~~ promotion, ^{or} ~~into~~ shift ~~or~~ change,
 4 ~~graveyard shift into a day shift or something~~, they ^{OR}
 5 ~~don't feel~~ ^{believe} that they ~~are~~ ^{are not} being satisfactorily
 6 serviced, ~~but~~ they have the right to file a failure to
 7 represent against the union. ~~And we~~ while we
 8 ~~don't~~ publicize it a lot, we tell these people ^{that} if
 9 you ~~are~~ not happy with the union, you ~~are~~ ^{OR} not happy
 10 ~~with~~ the employer and you feel you ^{have} been
 11 discriminated against, you can file charges with the
 12 NLRB. ^{actual} ~~we give them the name and number and who to~~
 13 ~~call.~~
 14 ~~And I think if you check~~ ^{over} the last
 15 few years, ~~the awareness that has gone on in all our~~
 16 industries, ~~is that~~ people are very aware of their
 17 rights ~~now~~, and the number of failure to represents
 18 that have been filed against unions has dramatically
 19 increased. ^{Since 1981,} ~~If you look at~~ the number of charges and
 20 complaints filed with NLRB and the Equal Rights
 21 Commission in Clark County ~~since 1981 you will find~~
 22 ~~they have been staggering, in terms of what has been~~
 23 ~~taking place.~~
 24 So people are becoming ~~more and more~~ more
 25 aware of their rights and what the contract can and

1 can't do for them. ~~When you get up into promotions,~~

2 ~~and I guess I'll use the bartenders as a good example.~~

3 A food and beverage manager is a nonunion, non-

4 collective bargaining ^{position.} They control the structure of

5 the bar unit and its operation. The union has to

6 come in and ensure that seniority is maintained, and

7 that the proper staffing is there, just like we do in

8 the hotels. If a maid comes to us and we know that

9 the contract calls for 20 beds a day and one of the

10 hotels is forcing their maids to do 26 a day, we have

11 a grievable situation.

12 So these people are becoming ~~more and~~

13 more aware, ~~and the biggest thing I feel that's~~

14 taking place ^{since} ~~in~~ 1981, both in our previous

15 administration and the current one is the shop

16 steward program. That's the backbone of the

17 collective bargaining agreement and the awareness to

18 stop discrimination. You have shop stewards who are

19 trained, understand the collective bargaining

20 agreement, ^{and are} aware of what can be done, ~~and~~ if they're

21 on the job they can resolve a great number of

22 problems before ^{they} ~~it~~ gets into grievances with the

23 union, before they go file charges with the NLRB and

24 the Equal Rights Commission.

25 So if you want to take a look at what

1 the unions are doing, take a look at the shop
 2 steward's program. That's really where the training
 3 takes place, where the pyramid gets down to the
 4 worker; The person they go to on their shift.
 5 ~~I've got a problem~~ Can they really make me
 6 move from casino porter cleaning the cigarettes butts
 7 out to going into the bathrooms? Can they move me
 8 from this area into that area? ~~So a great number of~~
 9 ~~people know what their rights are.~~

10 MR. BENZENBOWER: We've been very
 11 fortunate. ~~As Mr. McCall said,~~ the hotels have had a
 12 problem in their directors and above, placing
 13 minorities and female. But their middle line
 14 management has been pretty much open, and they are
 15 placing minorities in those positions ^{under} which our
 16 people ^{directly} fall. ~~directly under them.~~ ~~So we don't~~ really
 17 have much ~~of a~~ discriminatory ^{behavior} as far as supervision
 18 is concerned.

19 However, we do get the occasion where
 20 an older fellow ^{is} ~~was~~ harassing a female because number
 21 one, he doesn't want her in there, and number two, he
 22 feels she can't do the job. ~~we used, my being a~~
 23 ~~smaller unit, we go out~~ ^{we go out} as agents, one on one and just
 24 talk to the bar manager, explain the situation, ~~then~~
 25 pull the individual off to the side and say hey, pal,

1 this is the way it is. You either have to accept it
2 or find another craft.

3 ~~MS. NOZERO: Thank you very much. Any~~
4 ~~further questions from the members of the panel?~~
5 ~~Thank you all very much for coming this morning.~~
6 ~~It's been very enlightening. I appreciate your time.~~

7 ~~MR. LINNERT: I have one request.~~
8 ~~Could I get a copy of the minutes of this meeting?~~

9 ~~MS. NOZERO: Certainly.~~

10 ~~MR. PILLA: Yes.~~

11 ~~MR. BENZENBOWER: Also, I would like to~~
12 ~~enter as a point of fact to Joe, a copy of our~~
13 ~~reporting and everything through the three years.~~

14 MS. NOZERO: Thank you very much.
15 We're now going to adjourn the meeting for lunch and
16 reconvene at 1:30. Hopefully.

17 (Thereupon a lunch was
18 taken, after which the following
19 ~~proceedings were had.)~~

20 MS. NOZERO: We will now reconvene the
21 meeting of the Nevada Advisory Committee to the
22 United States Commission on Civil Rights. Before we
23 begin with our next speaker, I'd like to comment on
24 the fact that the agenda is sort of messed up and out
25 of order here because a lot of people have canceled

1 ~~cut on us.~~

2 For the record I would like to state
3 that the representative from the Las Vegas Hilton and
4 a representative from Caesars Palace have elected not
5 to appear and speak today. In addition, we also
6 invited representatives from the Latin Chamber of
7 Commerce; they also apparently elected not to appear.

8 ~~Luckily we have a speaker who wasn't~~
9 ~~scheduled to speak until three o'clock who is willing~~
10 ~~to go now so we don't waste everyone's time. Her~~

11 ~~name is Theresa Bustillos, She is the Equal~~
12 ~~Employment Opportunity Commission director.~~

13 ~~Is that your title?~~

14 ~~MS. BUSTILLOS: I'm the supervisory~~
15 ~~trial attorney.~~

16 ~~MS. NOZERC: That sounds even more~~
17 ~~promising. All right, Theresa, we will open the~~
18 ~~meeting with your opening statement, if that's all~~
19 ~~right with you.~~

20 ~~MS. BUSTILLOS: Sure, that's fine. My~~
21 ~~name is Theresa Fay Bustillos, I'm a supervisory~~
22 ~~attorney, Employment Opportunity Commission, in the Los~~
23 ~~Angeles district office.~~

24 ~~The requests I speak to today was from~~
25 ~~Elliott McCarty. I'd just like to advise the~~

Elliott McCarty of our San Francisco district office

1 ~~commission that he~~ is unable to attend these
 2 proceedings due to pre-litigation commitments, but he
 3 has sent ~~with me~~ a written statement and a letter
 4 from the director of the San Francisco district
 5 office with his apologies for not being able to
 6 attend. ~~So with your permission I'd also like to~~
 7 ~~introduce his written statement into the record.~~

8 ~~MS. NOZERO: That would be appreciated,~~
 9 ~~thank you.~~

10 ~~MS. BUSTILLOS: I have an original and~~
 11 ~~two copies with me.~~

12 ~~MS. NOZERO: Thank you.~~

13 ~~MS. BUSTILLOS: I'm going to start off~~
 14 ~~my talk with the 1971 Department of Justice decree,~~
 15 ~~and then I will very briefly cover the 1981 decree~~
 16 ~~that Mr. McCarty was originally scheduled to speak~~
 17 ~~concerning.~~

18 In 1971 the Department of Justice filed
 19 a complaint against 18 Strip casinos and four labor
 20 unions. The complaint basically alleged that the
 21 hotels and unions discriminated against blacks due to
 22 basically four different categories: Assigning
 23 employees to job classifications on the basis of race
 24 without regard to qualifications. Failing to provide
 25 opportunities for training advancement and promotion

1 to black applicants who are unemployed. Include
2 recruiting of hiring employees for certain jobs by
3 relying on word of mouth referrals and nepotism and
4 cronyism to the disadvantage of black applicants and
5 employees, and failing to take reasonable and
6 appropriate action to correct the continuing acts of
7 these discriminatory practices.

8 The complaint basically stated that as
9 a result of a combination of all of these practices,
10 ~~that~~ more than 90 percent of the blacks employed by
11 the hotels were limited in and segregated to the
12 lowest paying, less desirable duties, jobs and
13 occupations.

14 On June 4th, 1971 a consent decree was
15 entered between the Department of Justice and the 18
16 Strip casinos and four labor unions. There is no
17 admission of liability in the consent decree. The
18 major feature of the consent decree is a goal section,
19 which provides for the hiring or the referring ~~for~~ ^{of}
20 one black for each three non-black employees or
21 applicants until the number of black employees is at
22 least 12.5 percent of the total number of employees
23 in each classification. ^{9/1} Within any six-month period
24 in a continuous 12-month period. There were
25 approximately 21 classifications, ~~and if the~~

1 ~~committee would like I have a listing of all 21~~
 2 ~~classifications which I could read into the record~~

3 The employment goals expire
 4 automatically. That's the other major feature of the
 5 employment goals section of the consent decree.

6 ~~There is not a -- normally~~ in consent decrees of more
 7 recent vintage there ^{are} ~~is~~ normally goals and timetables
 8 ~~is what they're normally called because~~ employers

9 will have to meet ~~certain goals, ultimate goals~~

10 within a set time period. But in this decree there
 11 is only a goal section, ^{stating} that upon compliance of the

12 goal section meeting 12.5 percent in any six-month
 13 period within a 12-month continuous period, then the

14 goal will automatically expire, and ~~supposedly~~ the

15 casino or labor union will not have to apply to be

16 relieved of that goal or provision from the Court.

17 The other ^{major} provision ~~is a provision~~

18 ~~which~~ requires affirmative action recruitment for

19 black employees into official and managerial

20 positions within the casinos. The affirmative action

21 recruitment ~~just~~ requires the casinos to engage in

22 affirmative action recruitment until a reasonable

23 number of blacks hold positions in the official and

24 managerial category.

25 There is no definition in the decree

1 for what is a reasonable number. There is no
 2 guidance in the decree for what is or is not a
 3 reasonable number. There is also no guidance in the
 4 decree for how a court or parties would determine
 5 what is or is not a reasonable number. ^{AN} ~~The~~ other
 6 important provision of the decree is ~~they also~~ ^{that the hotel/casinos} set up
 7 certain training programs, and I ~~think~~ ^{believe} the ~~commission~~ ^{Advisory Committee}
 8 heard about some of those training programs earlier
 9 this morning.

10 Basically the training programs that
 11 are specified in the decree are ~~training programs in~~
 12 dealer training, Keno writer, management training,
 13 assistant stage carpenters, assistant stage property
 14 men and other training commitments, ~~such as training~~
 15 ~~commitments~~ on an as needed type basis for the
 16 Culinary Local 226 and Bartenders Local 165.

17 The last provision of the consent
 18 decree is a monitoring provision, and that provides
 19 that the 18 Strip casinos and four labor unions must
 20 submit relatively detailed reports, both to the EECG
 21 and to the Court on ~~a basis~~ ~~on pretty much of~~ an
 22 annual basis.

23 I now want to go over some of the
 24 history of ^{decree's} ~~the~~ monitoring since 1971. In 1972 the
 25 decree was transferred to the Equal Employment

1 Opportunity Commission for monitoring. The
2 monitoring quality varied during the period from 1972
3 through 1981. ~~The defendants at one time~~ during ^{the} ~~the~~
4 period ~~of~~ 1972 through 1981, many of the defendants,
5 requested that the Court relieve them ^{completely} from the
6 provisions of the decree, ~~completely~~. The Court
7 declined to relieve defendants from the provisions of
8 the Court until all of the defendants had fully
9 complied with the provisions of the consent decree.

10 The EEOC at that time also attempted to
11 obtain additional discovery from the defendants, and
12 requested that the Court order the defendants to
13 supply additional discovery so that the EEOC could be
14 assured that full compliance by all of the defendants
15 was occurring, ~~but~~ the Court denied the request for
16 additional discovery during that time period.

17 In 1981, the trial attorney with the San
18 Francisco district office, ~~which is~~ the office that
19 was conducting the monitoring during the period from
20 1972 up to 1984, ~~the trial attorney in the San~~
21 ~~Francisco office in 1981~~ wrote a letter to several of
22 the defendants that, in this attorney's opinion, had
23 met the goal provisions of the consent decree, and
24 advised these defendants ~~that they did not have to~~
25 that they were relieved ~~in terms of EEOC~~ from

1 submitting the reports required under the terms of
2 the consent decree.

3 Thus, the monitoring reports from 1981
4 through 1984 were even more sporadic and intermittent
5 than the reports ~~that had been~~ submitted during the
6 period ~~from~~ 1972 through 1981.

7 MS. NOZERO: May I interrupt you just a
8 minute? Do you have the names of those specific
9 hotels that were relieved of those responsibilities?

10 MS. BUSTILLOS: I could provide that
11 for you. I don't have that with me today.

12 MS. NOZERO: Okay. Continue.

13 ~~MS. BUSTILLOS.~~ In ~~1984,~~ approximately
14 mid 1984, ~~I believe, the entire~~ the attorney that
15 was monitoring this case ~~in San Francisco~~ left the
16 San Francisco EEOC district office. The entire case
17 was sent down to Los Angeles district office for
18 monitoring. When the case was transferred down to
19 the Los Angeles district office for monitoring, ~~EEOC~~ ^{there}

20 ~~hired a consultant because, as you can imagine,~~
21 ~~transferred with this case~~ were volumes and volumes
22 of documents, ~~that could fill a couple of cabinets.~~

23 ~~When the case was transferred down this~~
24 ^A consultant was hired to take a trip ^{up} to Las Vegas
25 so that ~~we~~ ^{EEOC} could try to get some firsthand

1 information as to how the casinos were complying with
 2 the terms of the consent decree, beyond what was
 3 within the record keeping reports that some of the
 4 casinos ~~at that time~~ and ~~some of the~~ labor unions ~~at~~
 5 ~~that time~~ were supplying.

6 The consultant interviewed ~~many~~
 7 employees, ~~many~~ black groups, organizations within
 8 the Las Vegas area, ~~interviewed as many~~ people from
 9 the community, ~~as this consultant could contact,~~
 10 talked to some of the casino owners, ~~and~~ came back to
 11 Los Angeles and advised ~~us~~ ^{and} that ~~many~~ people had
 12 reported that there were problems with the decree and
 13 with compliance, ~~with the decree.~~

14 Some of the problems ~~that were~~ noted
 15 were that casinos were hiring blacks, and immediately
 16 upon ~~in their opinion,~~ reaching the 12.5 percent
 17 goal, were then terminating, ~~and then these~~ casinos
 18 with high ^{black employee} termination rates ~~with black employees~~ were
 19 only hiring black employees to meet the goals and not
 20 ^{working} to eradicate the past patterns, ^{and} practices that were
 21 keeping blacks out of these positions; and ~~not trying~~ ^{the casinos were}
 22 address the problem that gave rise to the consent
 23 decree in the first place.

24 Some of the other reports that we
 25 received were that casinos were demoting ill employees

1 once the 12.5 percent goal had been met, ~~and other~~
2 ~~practices like that~~. But there was nothing concrete
3 that was reported to this consultant. ^{There were} ✓ No concrete
4 charges, no charges filed with the EEOC, ~~nothing~~
5 ~~concrete that were able to be identified that had~~
6 ~~been~~ ^{No} a victim~~s~~ of these ~~particular~~ alleged
7 discriminatory practices. Only the allegations were
8 brought to the attention of the EEOC during this
9 consultant's visit to Las Vegas.

10 As a result of that information, the
11 EEOC began to look at, and began to take a more hard
12 line position to the casinos and the labor unions
13 that were not supplying monitoring reports, either
14 because they felt they didn't have to under the terms
15 of the consent decree because, in their opinion, they
16 had met the 12.5 percent goal, or because they had
17 received this letter in 1981 from the trial attorney
18 out of the San Francisco district office of the EEOC.

19 The Los Angeles district office advised
20 the casinos that no, it is our opinion that the
21 record keeping requirements under the consent decree
22 had no time period, and that there was no automatic
23 termination of their obligations under the consent
24 decree to supply the record keeping requirements
25 under the consent decree, and that that was the

1 position that we were taking. A lot of casinos and
2 labor unions were very reticent at the beginning to
3 comply with our request for their records.

4 A lot of them came around, especially
5 when we threatened to go to the district court to
6 require them to supply the record keeping
7 requirements under the consent decree. During this
8 period, we're probably now at about 1985 and '86.

9 This decree has been monitored in the Los Angeles
10 district office by an attorney there that I supervise,
11 Mr. John "Simms". He has looked through the records
12 for 1985 and 1986 and advised the casinos that in our
13 opinion, all of them had to comply with the record
14 keeping requirements of the consent decree and none
15 of them were relieved of those duties unless the
16 Court saw fit to relieve them of those requirements.

17 ^{ESOC}
~~He has basically analyzed~~ ~~the~~'s in
18 the process of continuing to analyze the reports that
19 ~~we have~~ received for the period ~~of~~ 1985 and 1986. ~~As~~
20 ~~a result of that analysis, he indicates that a~~
21 preliminary review indicates that many of the casinos
22 have satisfied the 12.5 goal under the consent decree.
23 But ~~that~~ there appears to be some problems in the
24 following job categories: Secretaries, ~~secretary~~
25 guards, dealers, especially dice dealers; bartenders,

1 captains, doormen and cocktail waitresses.

2 ~~What we are now attempting to do at the~~
 3 ~~EEOC, since this is such an old decree began in 1971~~
 4 ~~and this is now 1987.~~ ^{EEOC is} What we are attempting to do
 5 is ~~we are attempting to~~ go back through the records
 6 from 1972 to the present to determine which casinos
 7 and labor unions, in our opinion, have met the goals
 8 under the consent decree. ~~So that we can then~~ ^{EEOC then}
 9 ascertain what future course of action ~~we~~ ^{be} should ^{be} taken
 10 with regard to this consent decree, ^{including} ~~if any.~~ ^{And what}
 11 ~~future course of action we would recommend that the~~ ^{had to}
 12 Court, ~~take with regard to this consent decree, if any.~~
 13 That is the current status of the 1971 consent decree.

14 ~~I will now discuss the 1981 consent~~
 15 ~~decree with regard to sex discrimination and~~
 16 ~~discrimination on the basis of national origin.~~

17 Employment discrimination complaints were filed by
 18 Hispanic organizations ~~with the EEOC,~~ and by
 19 individual females in the early 1970's with the EEOC
 20 in San Francisco.

21 As a result of these complaints a
 22 commissioner charge was filed by Commissioner Telles,
 23 ~~T-e-l-l-e-s,~~ in July of 1975 alleging the practice of
 24 ~~sex and Hispanic to a smaller degree~~
 25 discrimination ^{based upon sex and national origin by} ~~against~~ major hotels and four unions.

^{the complaint}
 1 Basically ~~they~~ were in the higher paying tip jobs
 2 requiring public contact, such as dealers, food
 3 servers, bell captains, parking attendants ^{and} stage
 4 hands, ~~et cetera~~

5 After two years of conciliation efforts
 6 as a result of this commissioner's charge, a
 7 complaint and consent decree as a package deal were
 8 filed in January-February of 1981. The San Francisco
 9 district office monitored the terms of that consent
 10 decree. Elliott McCarty was the attorney who
 11 monitored the terms of that consent decree, and at
 12 the end of that five-year consent decree it was
 13 determined by the EEOC San Francisco district office
 14 that the goal provisions of that consent decree,
 15 which also had a back-pay provision, had been
 16 substantially complied with, and the decree was
 17 dissolved on August 2nd of 1986 by the United States
 18 District Court judge.

19 That's a very brief summary of the 1981
 20 decree. If you have any questions about both, either
 21 or both decrees, I can answer these questions at this
 22 point.

23 MS. NOZERO: I'm sure some of our
 24 members do. Thank you, that was a very good summary
 25 of the historical background, especially the '71

1 decree, which I know a lot of us didn't have clear
2 understanding of it.

3 Any members of the committee have any
4 questions?

5 ~~MS. BERKLEY: Not at this time.~~

6 MR. SEDWAY: Could I see a copy of that
7 report that Mr. McCarty sent?

8 ~~MS. BUSTILLOS: Yes.~~

9 MS. DELUCA: ~~Theresa,~~ you said that
10 there were problems ^{retraining} with the 1971 decree ~~with~~ ^{for}
11 secretaries, security guards, dealers, captains,
12 doormen, cocktail waitresses, ~~et cetera.~~ ~~Do you know~~
13 what kinds of problems ^{are they?} ~~there were?~~

14 MS. BUSTILLOS: I only have preliminary
15 indication of the kinds of problems, ~~what the kinds~~
16 ~~of problems are talking about under representation.~~
17 Not really independent ~~type of~~ complaints, but based
18 on representations ~~were~~ received from blacks in
19 those positions.

20 ~~MS. DELUCA: Thank you.~~

21 ~~MS. NOZERO: Any other questions?~~

22 ~~MS. PISCEVICH: I have a question.~~

23 MS. PISCEVICH: Of the approximately 19
24 casinos that were involved in the original consent
25 decree, how many were in compliance when you

1 reevaluated it in San Francisco?

2 MS. BUSTILLOS: In 1981 ~~that is~~ when
3 the trial attorney of the San Francisco district
4 office decided that certain casinos were ~~not~~ in
5 compliance. And I don't have that letter with me
6 here today to let you know what, in that attorney's
7 opinion, were each of those casinos were in
8 compliance. I can supply that to the committee, but
9 I don't have that information with me.

10 ~~MS. PISCIVICH: Do you have a feel?~~
11 ~~Was it like 50 percent or a third?~~

12 ~~MS. BUSTILLOS: No,~~ I don't have a feel
13 for how many casinos were in compliance. ~~and that is~~
14 why at this point, ~~what we are~~ attempting to ~~do is to~~
15 go back through the voluminous documents ~~which we've~~
16 ~~already started,~~ from 1972 through the present so
17 that we can understand two things: Number one, which
18 of those casinos and labor unions in our opinion have
19 met the 12.5 percent goal?

20 ~~But secondly, and I think even more~~
21 ~~importantly,~~ can we ascertain a continuing pattern ~~of~~
22 practice ^{of casinos} under representation of blacks ~~in the~~
23 ~~casinos that are being~~ referred by the labor unions,
24 ~~presently and currently.~~ Because I think that is of
25 ~~a more viable concern, that even, whether some casino~~

1 ~~in 1975 met 12.5 percent of the --~~

2 MS. PISCEVICH: ~~My next question was~~
 3 ~~going to be~~ have you found any still in compliance?
 4 ~~Or is that material being evaluated yet?~~

5 MS. BUSTILLOS: We haven't come to any
 6 conclusions yet ^{and will not} ~~^~~ Until we finish our complete review,
 7 ~~because I'm sure as you can appreciate, we have~~
 8 ~~looked at the documents supplied, and again we don't~~
 9 ~~have complete records, but~~ we have looked at the
 10 documents supplied in 1985 and 1986. But that's not
 11 enough. Looking at two years' records is not really
 12 enough to substantiate whether there is a continuing
 13 pattern and practice of blacks not being allowed into
 14 certain positions or not maintaining their
 15 representation of those positions.

16 So we really need to look back further
 17 ~~on prior to 1985~~ in order to try and ascertain ^{if} ~~is~~
 18 there ^{if} a pattern and practice of discriminatory
 19 practices ^{and whether this is} ~~that are~~ continuing to keep blacks out of
 20 certain positions. ~~That's why I just tried to give~~
 21 ~~our preliminary study indicates those two years.~~ Of
 22 those categories that I've listed, our preliminary
 23 review indicates there is current representation of
 24 blacks in those positions.

25 MS. PISCEVICH: In all 19 hotels?

1 MS. BUSTILLOS: No.

2 MS. PISCEVICH: Again, do you have any
3 feel for the number that are in compliance? ~~Or is it~~
4 ~~like one hotel is fine in two areas, but not maybe in~~
5 ~~three?~~

6 MS. BUSTILLOS: Well, it also depends
7 on what you mean by the term "compliance". Because
8 if you use 12.5 percent for any six-month period,
9 then that would be one answer. If you try to
10 determine compliance by the representation of blacks
11 in the fewer positions ~~for those positions~~ or in the
12 civilian labor market for those positions, then that
13 would give you another answer for what is compliance.
14 We haven't quite finished our analysis, and we are
15 trying to answer both of those questions.

16 ~~The 12.5 percent question, and I think~~
17 ~~the more viable and current question which is looking~~
18 ~~at the "feeder" position applicant rates and civilian~~
19 ~~labor force figures for currently what is the status~~
20 ~~of blacks in these positions.~~

21 MS. PISCEVICH: There was some
22 testimony this morning that hotels were turning in
23 one type of documentation and the labor unions the
24 second, and that the two were maybe not compatible in
25 terms of their statistics and their figures. Have

1 you found that to be the case?

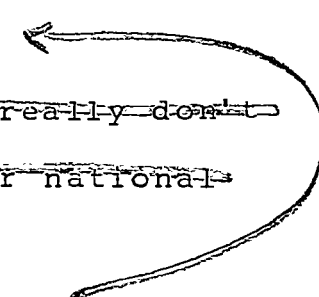
2 MS. BUSTILLOS: Yes, we have found that
3 to be the case, and that has presented ~~a lot of the~~
4 ~~problem~~ in trying to analyze the data and come up
5 with what we would hope to be an accurate depiction
6 of the current status of blacks ~~on the Strip~~ in those
7 casinos.

8 MS. PISCEVICH: ~~This is probably~~
9 ~~something that no one can answer, but I'm going to~~
10 ~~try anyway.~~ I know that the second decree was
11 dissolved and that dealt ^{primarily} with females and Hispanics,
12 ~~primarily.~~ Is there any reason why that's not going
13 to be reinitiated, or are you just going to
14 concentrate on the black population in Las Vegas?

15 MS. BUSTILLOS: Well, that decree is
16 not going to be reinitiated because the San Francisco
17 district office determined there was substantial
18 compliance with the terms of that decree. ~~To the~~
19 ~~extent to answer your second question,~~ no, we're
20 not ~~just~~ going to concentrate on the status of blacks
21 in the casino industry, ~~especially~~ because I think
22 the important thing to understand is that both of
23 these decrees just concerned the casinos on the Strip.
24 But there are a lot of other casinos out there that
25 have not been touched by any of these consent decrees.

1 And secondly ~~is~~ our concern^{is} for all the
 2 groups that the EEOC is designated to serve, to
 3 protect. So to the extent that there are individual
 4 problems, discrimination occurring out there, then
 5 those individuals need to file charges of
 6 discrimination. To the extent that we receive
 7 information that there is a pattern and practice
 8 against whatever group, ~~whether it's~~ females,
 9 Hispanics, blacks, Asians, ~~whatever~~ then the EEOC
 10 intends to look at that ~~sort of~~ evidence and
 11 determine ^{whether} ~~is~~ there ^{is} a pattern and practice? ~~Is there~~
 12 ~~more~~ a systemic type, ~~of problem,~~ or ~~is it~~ just an
 13 individualized type of problem?

14 MS. PISCEVICH: Is the information that
 15 you're receiving for verification of the '71 decree
 16 strictly just statistics on black versus white?

17 MS. BUSTILLOS: It ^{is} actually on black
 18 versus non-black, and at times it is broken down more
 19 precisely by black versus white. ~~yes.~~ 

20 ~~MS. PISCEVICH: so you really don't~~
 21 ~~have a feel though, in terms of sex or national~~
 22 ~~origin or anything?~~

23 MS. BUSTILLOS: ~~No, not~~ basically
 24 ~~because~~ the decree just concerned blacks. ~~That's why~~

25 MS. PISCEVICH: ^{Are} ~~is~~ there records in the

1 courthouse here in Las Vegas with those statistics, ~~in~~
 2 ~~them?~~

3 MS. BUSTILLOS: The casinos and the
 4 labor unions, under the terms of the 1971 consent
 5 decree, are required to file their reports with the
 6 Court, and with the EEOC. So to the extent the
 7 casinos have complied with that provision, then yes,
 8 those records are available at the Court.

9 ~~MS. PISCHEWICH: Thank you.~~

10 MS. BERKLEY: Reverend Scott ~~when he~~
 11 ~~testified~~, stated that he was having great difficulty
 12 getting ahold of these ^{filed} reports, ~~that had been filed.~~
 13 If he's unable to get them at the courthouse, ~~and I'm~~
 14 ~~not quite sure why he would be unable to get them at~~
 15 ~~the court~~, could he get them from your office?

16 MS. BUSTILLOS: Yes, he could.

17 MS. BERKLEY: How would he go about
 18 doing that?

19 MS. BUSTILLOS: He could contact our
 20 office, ~~and he would contact John Simms. That is the~~
 21 ~~attorney who is responsible for~~

22 ~~MS. BERKLEY: Through a letter?~~

23 ~~MS. BUSTILLOS: Yes.~~

24 ~~MS. BERKLEY: By way of a letter?~~

25 ~~MS. BUSTILLOS:~~ He could write a letter

1 to the commission.

2 MS. BERKLEY: And what would he request
3 in that letter?

4 MS. BUSTILLOS: He would request copies
5 of reports for whatever time period he wanted ~~those~~
6 ~~reports~~ because there is not ^{/ /} a confidentiality
7 provision under the 1971 consent decree. We would
8 not be able to supply reports for the 1981 consent
9 decree. ~~the~~

10 ~~MS. BERKLEY: It is a confidentiality~~
11 ~~section?~~

12 ~~MS. BUSTILLOS: Yes, for the 1971~~
13 ~~consent decree, and I have to add ^{the} a caveat which is,~~
14 ~~as I indicated before,~~ ^{that} we are in the process of
15 reviewing all of the reports from 1972 to the present.
16 I could not guarantee a quick response to such a
17 request because we have voluminous documents ~~which we~~
18 ~~would have~~ to sort through in order to find whatever
19 reports an individual was interested in receiving.

20 MS. BERKLEY: To your knowledge, has
21 your office ever received a request from Mr. Scott or
22 the NAACP and not complied with the request?

23 MS. BUSTILLOS: I don't know.

24 DR. SEDWAY: It's my understanding that
25 staff people are having difficulty getting copies of

1 the compliance reports from your office. Could you
2 address that for me, please?

3 MS. BUSTILLOS: I am not aware of any
4 difficulties for the ^{Advisory Commi}~~commission~~ in receiving ~~reports~~
5 ~~in~~ the monitoring reports that the defendants are
6 submitting to the EEOC. That may very well be true,
7 I have just not been apprised that that is a problem,
8 or that such a request was made and not responded to.
9 I can only say that it is my understanding that since
10 there is no confidentiality provision and since the
11 reports are also sent in to the Court, that the
12 commission would not have a problem in supplying
13 reports. I am not aware of any problem.

14 ~~MS. NOZERO: I wonder if, just for the~~
15 ~~record, our staff member Mr. Pilla might comment on~~
16 ~~the efforts that we've made in the past to try and~~
17 ~~obtain copies.~~

18 MR. PILLA: ^{date April 17} ~~There was~~ a letter ~~that~~ was
19 mailed to ^{Lee G} ~~the~~ former director ^{Judy Keeler} ~~Judy Keeler~~ requesting
20 that data for three different years, ~~I can't~~
21 ~~remember the specific years, but I believe it was '71,~~
22 ~~'78 and '85. That letter was mailed to her on April 17,~~
23 ~~1986.~~ The EEOC, Los Angeles office has still not
24 responded to that correspondence. It ^{Judy Keeler} has been brought
25 to the attention of ^{Judy Keeler} the new director, who is just a

~~two weeks~~

1 ~~month or so~~ old in her position, so perhaps we can
2 follow up on that.

3 ~~MS. BUSTILLOS: Actually I might~~
4 ~~correct you. She's about two weeks old in that~~
5 ~~position.~~

6 ~~MR. PILLA: Excuse me.~~

7 MS. NOZERO: ~~I wonder too if I might~~
8 ~~ask at this point if Reverend Scott or any one of us~~
9 ~~went down to federal court and reviewed copies of all~~
10 these documents, is there any way to figure out ^{what} ~~that~~
11 they're reviewing in terms of doing an exhaustive
12 study?

13 MS. BUSTILLOS: I think there's very
14 little actually to reveal without seeing the pattern,
15 without looking and analyzing every year from 1972 to
16 the present because with each report you're just
17 going to get a little snapshot of what is happening
18 with that particular period at that particular casino
19 or that particular labor union, and a snapshot tells
20 you very little. So I think you would have to do
21 some sort of statistical analysis, which is the type
22 of project that we are attempting to undertake right
23 now, and which I can assure you is very time
24 consuming, and very exhaustive.

25 MS. NOZERO: Do you have any idea on

1 how long it's going to take to complete that study?

2 MS. BUSTILLOS: Our goal is to complete
3 the analysis by the end of October^{1st} so that we can
4 attempt to take some position or do something with
5 this 1971 consent decree. I know that the casinos
6 ~~don't~~ want the consent decree hanging around. It's ^{was}
7 already been in existence since 1971, and the
8 commission would like to be able to take some
9 position and then determine what course of action
10 would be appropriate, ~~for the commission to take~~

11 ~~But~~ until we go through the exhaustive
12 tasks of reviewing all these documents, because of
13 the way the goal provision is set up, then we really
14 can't take a position or ascertain what position we
15 should take, number one with regard to the decree; ^{and,}
16 ~~secondly,~~ ^{number two} with regard to the current state of affairs,
17 to the extent we can ascertain that, ~~until we~~
18 ~~complete this exhaustive search of all these records.~~

19 MS. NOZERO: Once your analysis is
20 completed, I presume there will be some sort of
21 written report. Would there be any problem with
22 providing this committee with a copy of that ^{completed} report?
23 ~~when it is completed?~~

24 MS. BUSTILLOS: There would probably be
25 a problem of providing the committee with a report

1 until it's made public because the basis of that
2 report will determine which course of action the EEOC
3 takes with regard to the consent decree. Since the
4 consent decree is still an open case, we would not be
5 in a position to divulge the contents of that report
6 until we had decided on a course of action ~~based on~~
7 ~~that report.~~ Depending on the course of action we
8 ~~had~~ decided, then certain portions of that report may
9 or may not be available to the public.

10 ~~MS. NOZERO: I don't know if you're~~ aware but the committee had anticipated doing its own
11 study and hiring some consultants to do a statistical
12 analysis. We had picked three years that we were
13 going to look at, but I hate to go forward on that if
14 it would just be a duplication of effort. On the
15 other hand, if we're not going to have access to all
16 the information, maybe we should do it anyway.
17 Perhaps you could bring that back to your supervisors
18 in Los Angeles and explain the dilemma we're in as
19 well.

21 ~~MS. BUSHELLOS:~~ I think we would be
22 able to answer your questions after our reports are
23 completed. ~~Because~~ if we have determined that ~~the~~
24 ~~basis on that report at~~ all of the casinos or labor
25 unions or some ~~or whatever~~ are in compliance and that

1 there may be certain very limited current problems
 2 which we could not address through the decree, then
 3 we may take one course of action. If we take that
 4 course of action we may be very willing to supply
 5 that to the court, ~~because.~~

6 ~~so~~ I think that we ^{will} be able to give
 7 you a fuller answer to your question as soon as we
 8 have finished our analysis and determined which
 9 course of action we ^{are} going to take, ~~based on the~~
 10 ~~terms of that report.~~

11 MS. NOZERO: In the meantime, should
 12 the ^{Advisory} committee decide to do an independent study, you
 13 see no problem with providing us with the actual
 14 reporting from the years we requested?

15 MS. BUSTILLOS: I don't see a problem
 16 in doing that. I would have to check with the
 17 district director ~~Judy Keeler~~, because I was not
 18 aware that ^a ~~that~~ prior request had been made ^{without a} ~~and not~~
 19 ~~response.~~ ~~been responded to.~~ ~~I don't know if that's because it~~
 20 ~~was lost or whatever.~~ I don't know the reasons for
 21 the non response. ~~I don't know if there's some other~~
 22 ~~reason I'm not aware of for the non response.~~

23 ~~Based on the information I have, just~~
 24 based on ~~looking at~~ the consent decree, I don't see
 25 any problems with finding that information, but ^I will

1 have to check ~~with Judy Keeler~~ to make sure, ~~that~~
 2 ~~there's not some reason I'm just not aware of.~~

3 ~~MS. NOZ-ERO. Thank you.~~

4 ~~MS. DEBUCA. I have a couple of~~
 5 ~~questions.~~ What involvement did the Nevada Resort
 6 Association have in the consent decree? ~~if any?~~

7 MS. BUSTILLOS: ~~The Nevada Resort~~
 8 ~~Association?~~ It's my understanding that they have
 9 not played an active role, in terms of the ~~commission~~ ^{EEOC.}
 10 I don't know what role they may have played with the
 11 casinos. ~~But in a direct relationship with the~~
 12 ~~commission, vis-a-vis the consent decree, it was my~~
 13 ~~understanding that there has not been an active role,~~
 14 ~~and~~ the commission has been dealing with each of the
 15 18 Strip casinos independently and individually,
 16 especially in attempting to obtain the records. ~~We~~
 17 ~~have dealt with each of them individually.~~

18 ~~There may have also been some contact~~
 19 ~~with that organization that I am not aware of.~~ Since
 20 I am not the attorney, I am not aware of every step
 21 ~~Mr. Simms has~~ taken with regard to attempting to
 22 obtain compliance with the records provision, and ~~the~~
 23 ^{attorney} ~~may~~ have done that. ~~But~~ it is my understanding that
 24 ~~we~~ we have been dealing with each of the casinos and
 25 Strip hotels subsequent to the 1971 consent decree.

1 MS. DELUCA: In your attempt to analyze
2 the data and the hiring practices with women and
3 other minorities besides blacks, will you be asking
4 more questions of the casinos ~~with that type of data~~
5 before you finish?

6 MS. BUSTILLOS: ~~We are not really~~
7 ~~don't believe that we really~~ ^{not} can ask for any data
8 beyond the scope of the consent decree. Since the 1971
9 consent decree just dealt with blacks, we are limited
10 in what we can really do with that decree. I think
11 that is one of the perception problems that the
12 commission has seen with regard to the 1971 consent
13 decree because it ~~really~~ just addressed the problems
14 of blacks and not ^{other} minority groups ~~and not~~ ^{OR} women. The
15 decree is not ~~a decree~~ for all minorities ~~and for~~ ^{OR}
16 women. ~~so it's~~ ^{it's} a very limited and narrow decree with
17 very limited and narrow results, ~~and~~ ^{but} we are bound by
18 the terms of that decree.

19 If we find evidence of discrimination
20 through the information we have received from the
21 reports, or from other sources, then ~~that would be~~
22 ~~for~~ ^{would have} the commission to determine what future course of
23 ^{should be} action ~~to take~~ based on that information ~~to the~~
24 ~~extent that women or other minority groups are aware~~
25 ~~of pattern, are aware of that.~~ If there are problems

1 beyond their own individual problems that they may be
 2 suffering from in terms of discrimination, then we
 3 would encourage them to file a charge of
 4 discrimination and assert that. This affects other
 5 blacks, ~~or other~~ Hispanics, ~~or other~~ Asians or women,
 6 because based on that type of information the
 7 commission could then take some action.

8 ~~MS. DELUCA: Thank you.~~

9 MR. TETREAULT: ~~Just a couple of~~
 10 ~~questions.~~ In the record keeping process, did ~~that~~
 11 ~~consultant that your commission retained, did you~~
 12 conduct an audit of the hotels to determine whether
 13 the information they supplied was accurate?

14 MS. BUSTILLOS: No, ~~when I reviewed~~
 15 ~~the information~~ I don't know why that wasn't done. I
 16 ~~mean~~ I wish that had been done because ~~then~~ that
 17 would make our current job much easier.

18 Basically what that consultant did was
 19 come ~~up~~ to Las Vegas and attempt to do a ~~sort of more~~
 20 on-site ~~type of~~ investigation, talking to members of
 21 the community to get a ~~more~~ ^{their} community type
 22 perspective, ^{and perceptions} ~~to find out from the black community what~~
 23 ~~was the perception in~~ ^(regard to) ~~terms of~~ the casinos'
 24 compliance with the terms of the consent decree. ~~And~~
 25 ~~that~~ that was the type of information ~~that~~ we received

1 from the consultant. ~~But~~ no real hard, statistical
 2 analysis was conducted, ~~of the consent decree.~~

3 MR. TETREAULT: ~~You also mentioned I~~
 4 ~~think that in at least some instances there was an~~
 5 ~~occasion that~~ when some of the hotels reached their
 6 compliance figure of 12 and a half percent, then
 7 there was an indication of some terminations of
 8 minorities. Would~~not~~ those minorities ^{terminated} be beneficiary
 9 of this decree? Would~~not~~ they have a right to file a
 10 charge with your office for specific investigation of
 11 those type of charges?

12 MS. BUSTILLOS: Yes, and not just
 13 because of the decree, ~~but yes,~~ as a result of the
 14 decree, if they could assert that they were being
 15 terminated because casinos had met the decree and
 16 therefore then their services were no longer needed,
 17 then that would be the basis for a race
 18 discrimination charging ^{e.} ~~ing, yes.~~ Then they could have
 19 filed a charge of discrimination with the commission.

20 The problem is ~~this, and this is a~~
 21 ~~problem you find in an area of discrimination~~
 22 ~~employment, especially when dealing with past actions~~
 23 ~~or class action litigation.~~ When an individual is
 24 hired or terminated, they don't know why. They don't
 25 know who was hired. ~~They don't know who else is not~~

1 ~~being~~ terminated. Usually they^{/a}re provided with some
 2 reason. If they^{/a}re not hired they^{/a}re told you^{/a}re not
 3 the best qualified, ^{but} you don't know who was hired.

4 Generally you can't compare your
 5 qualifications with the person who was hired to
 6 determine if your race was ~~a factor~~ ^{was} or not a factor.
 7 You may be told we have no further use for your
 8 services, or some other ~~non-discriminatory~~ on the
 9 surface non-discriminatory reason, so you don't know.
 10 Most people don't jump to the conclusion I am being
 11 terminated or not hired because of my race. So I
 12 don't think one can draw any conclusions by the fact
 13 that blacks or any other group have not filed charges
 14 of discrimination because they were not hired, or
 15 ~~because they~~ were terminated. That's part of the
 16 problem.

17 MR. TETREULT: Do you know whether any
 18 charges were filed? By any investigator?

19 MS. BUSTILLOS: ~~Some charges~~ I mean
 20 during this whole time period ~~sure~~ we have received
 21 charges of race discrimination for termination. And
 22 those were investigated to a certain extent. I don't
 23 know what the outcome of those ^{investigations} have been, but they
 24 were not of such a volume ~~or not to such a degree or~~
 25 ~~did not mention the degree~~ that the EEOC found a

1 direct relationship. ~~Not that one did not exist, but~~
2 ~~that the EEOC did not find ^a that direct relationship~~
3 in order to ~~follow up with that investigation or~~
4 conduct it on the basis of the consent decree or
5 trying to determine compliance or noncompliance with
6 the terms, ~~of the consent decree.~~

7 ~~MR. TETREULT: Thank you.~~

8 ~~MS. NOZERO: Any further questions from~~
9 ~~the committee?~~

10 ~~Thank you, Miss Bustillos. We really~~
11 ~~appreciate your appearing here today.~~

12 ~~MS. BUSTILLOS: Thank you.~~

13 ~~MS. NOZERO: Before we go into our next~~
14 ~~speaker, I notice since we have some more observers~~
15 ~~in the back of the room, I was wondering if anyone~~
16 ~~was here who would be interested in speaking on~~
17 ~~behalf of Caesars or the Las Vegas Hilton. We were~~
18 ~~under the impression that they might be speaking here~~
19 ~~today.~~

20 ~~All right. Our next speaker is Delia~~
21 ~~Martinez, who is executive director, of the Nevada~~
22 ~~Equal Rights Commission.~~

23 ~~MR. MERIDA: My name is *Delia Martinez* ~~Ctto Merida~~~~

24 ~~Thank you very much for inviting me to speak today.~~

25 ~~I understand that you have four basic areas that you~~

1 would like for me to address, and I'll start with
 2 those first and then go on to any questions that you
 3 may have.

4 ~~First of all was to give you a~~
 5 ~~background of our agency and our involvement in the~~
 6 ~~consent decree.~~ The policy for ~~our agency~~ was ~~was~~
 7 established back in 1961. ~~At first~~ ^{Initially,} the legislature
 8 ~~only gave~~ ^{Provided} the commission \$5,000 to operate ~~with~~ and
 9 five volunteer commissioners. ~~That was the beginning~~
 10 ~~then of our agency.~~ Later on an executive secretary
 11 and a part-time secretary were ~~then~~ appointed.

12 Over the years the staff has grown to
 13 ~~where we now have a staff of~~ 16 plus two deputy ^{state}
 14 attorney generals ~~that are~~ assigned to our agency.
 15 ~~To give you a little bit better an idea of what the~~
 16 ~~growth has been,~~ we prepared a chart to show you ~~some~~
 17 ~~of~~ the number of cases the agency has been handling
 18 and the amount of staff that we presently have.
 19 ~~You'll see that we have~~ ^{The chart provides} a comparison of where the
 20 agency was ten years ago versus ~~where we were for~~
 21 1984-86.

22 ~~As you can see, instead of making~~
 23 ~~improvements,~~ the staff was cut back in 1981 by five,
 24 and we have not been able to recover those ^(positions) although
 25 the work load has doubled. The commission was

1 involved in the Telles consent decree, and not in the
 2 first decree. The staff, from my understanding
 3 because I was not with the commission at the time,
 4 did the statistical analysis, gathered all the
 5 information, put it together and went to court and
 6 that's when the EEOC took over. Ever since that time
 7 ~~they have~~ ^{EEOC has} monitored the decree as part of the court
 8 order.

9 ~~We have been intermittently involved in~~
 10 ~~the sense that~~ our agency has ~~only~~ gotten reports
 11 from time to time as to how the decree is operating.

12 because it was not part of the court order that we
 13 would be involved throughout the process. ~~In~~

14 ~~addition to that,~~ we do have copies of the consent
 15 decree in our office, and ~~if necessary~~ we use ~~that~~ ^{them} in
 16 our investigations ^{if} ~~as~~ cases are filed ~~throughout the~~
 17 ~~year if they~~ deal with any of the hotels that were

18 involved ^{with} ~~during~~ the consent decree, ~~because~~ ^{as} you are
 19 well aware, not all the hotels are under the consent
 20 decree and there ^{have been} ~~are~~ many ~~more~~ new ones built since
 21 that time that have charges filed against them.

22 ^{which} ~~To show you what~~ ^{the} charges, ~~though, that~~
 23 ~~have been~~ filed in the last three years. ^{we} have

24 prepared ~~some additional~~ charts ~~for you~~. The first
 25 one ~~as you can see~~ is the number of charges that

1 were filed in 1984, '85, '86, and ~~since this year is~~
 2 ~~not over with, we only gave you then~~ the partial
 3 figures ^{for '87.} These figures only represent those charges

4 that were filed ^{by Blacks Hispanics and women} against the major Strip hotels ^{for}
 5 ~~dealing with things like~~ reasons such as discharge, unable to be

6 promoted, failure to hire, terms and conditions of
 7 employment, ~~and they only dealt with blacks,~~

8 ~~Hispanics and women.~~ ^{The chart} ~~It~~ does not include a section
 9 on harassment.

10 ~~If you will see on the~~ ^{next} ~~other~~ chart, ~~the~~
 11 ~~second one I've pointed out to you,~~ sex is the

12 biggest area ^{for} ~~where we get a number of~~ complaints and
 13 that's mainly because we have a lot of sexual
 14 harassment charges. Since the consent decree did not
 15 address sexual harassment, we did not include the
 16 figure of sexual harassment charges filed. If we
 17 were to do that the figures would be substantially
 18 larger.

19 The numbers, as far as percentages ^{are} ~~been~~
 20 concerned, over the last three years, have remained
 21 pretty constant. ~~Sex remains the largest one, where~~

22 about 38 percent of the charges being filed are on
 23 the basis of sex, and ~~with only about 24 percent~~
 24 ~~being filed upon~~ ^{on the basis of} race.

25 As you can see from the last chart,

1 ~~though~~, age discrimination is becoming larger all the
 2 time. ^Q You may also wonder why, in 1984 and '85, we
 3 had such a large number of charges ~~being~~ filed. We
 4 have been able to determine that's because of the
 5 strike that occurred on the Strip, ~~and~~ a lot of people
 6 were discharged at that time, or were not hired after
 7 the strike was settled, and many of them felt that
 8 might have to do with discriminatory reasons and
 9 therefore they came to our agency. Otherwise the
 10 numbers have remained pretty constant for '85 and '86.

11 ~~You had also asked me to address what I~~
 12 ~~think are still some areas or problems that we see~~
 13 ~~with the hotels.~~ ^Q What we still see is that basically
 14 when it comes to the upper management jobs, we ~~still~~
 15 do not find many minorities or Hispanics, ~~in them.~~
 16 ^{Staff} ~~We~~ were trying to ^{determine} ~~recall~~ whether there
 17 was a ^{woman} hotel manager of a major Strip hotel ~~that was a~~
 18 ~~woman~~, and we could not, ~~recall if one of them is and~~
 19 ^{representatives of} ~~maybe the people from~~ the hotel industry could tell
 20 us of those positions being held by women. There are
 21 certainly some great improvements in other positions
 22 where traditionally women have not been involved,
 23 such as dealers, baggage handlers and those positions.
 24 I think ^{Some of} the hotels ^{Should} ~~is to~~ be complimented for the
 25 progress in that area. But ^{positions at} the upper management ^{level} ~~area~~

1 still remains to be filled.

2 ~~We do still also have I believe some~~
 3 ~~areas of concern when it comes to~~ sexual harassment,
 4 ~~but that~~ was not addressed by the consent decree and
 5 that has to be addressed on a separate basis. ~~I~~
 6 ~~should put a footnote on that that~~ it's not only the
 7 hotels' experience, it's a problem that's prevalent
 8 throughout private enterprise, ~~as well as~~ ^{and} state and
 9 local governments. That's why you see the ^{high} number of
 10 charges ^{based upon} ~~when it comes to sex, is so high.~~ ~~And~~ it has
 11 to do with sexual harassment charges, ^{and} ~~The hotels~~
 12 ~~should not only be blamed for that.~~ It ~~just~~ occurs
 13 all over.

14 ~~When we take a look at~~ the number of
 15 charges ~~being~~ filed against the hotels, ~~they only~~
 16 comprise 33 percent of all charges filed with our
 17 agency; 28 percent comes from state ^{and} local
 18 governments; and then the remainder ~~is~~ from private
 19 enterprise. Private enterprise means charges being
 20 filed against employers that have 15 or more
 21 employees. We get a lot of charges filed ~~in our~~
 22 ~~agencies~~ against those employers that have less than
 23 15 and we have to refer them to private attorneys.
 24 If we were able to take those charges, ~~then I think~~
 25 ~~you would see~~ ^{would} we'd be taking an additional 500 to 700

1 charges ~~more~~ per year because that's about how many
 2 we're turning away, ~~all the time because~~ they don't
 3 meet the ~~number of~~ requirements, ^{on minimum staff.}

4 ~~Some areas that we might see some types~~
 5 ~~of improvements.~~ ^{to} I think a lot of ~~it~~ ^{improvement} has ~~to do with~~ ^{been in}

6 training and providing people that have the

7 qualifications in the work force. I know that the

8 University of Nevada, Las Vegas was given money for

9 scholarships to get more people educated ~~into the~~ ^{to meet}

10 ~~work place that met~~ the qualifications ~~that~~ ^{needed by} the

11 hotels. ~~might need.~~ I don't think that has been as

12 successful as people ~~might have~~ thought. I don't

13 think they ^{are} recruiting as many Hispanics, women or

14 minorities for those programs. Certainly they need

15 to do their portion in order to be able to provide

16 people for these jobs, ~~because you can't blame the~~

17 ~~hotels for people who have their required~~

18 ~~qualifications and are not re-applying for the jobs.~~

19 ^{to} The unions could also be doing ~~some~~ ^{work}

20 ~~areas of~~ improvement ^{the availability of minorities and women} because they ~~also~~ provide

21 workers. ~~I'm a little bit concerned about this~~

22 ~~hearing because it seems to me that I don't know how~~

23 ~~much publicity we are giving here locally to this~~

24 ~~type of hearing to have people that have been~~

25 ~~discriminated or don't come forward and express~~

1 ~~whatever concerns they will have.~~

OTTO Merida, Latin Chamber of Commerce

2 I know that if I recall correctly, I
3 think like Miss Garcia gave me this notice, a letter
4 she received from this committee, and I told her at
5 that time that I don't know how much we could

6 contribute. ~~We have done~~ ^{to} the Latin Chamber of

7 Commerce and ~~Hispanic and in politics we have done~~ ^{has}

8 in-depth studies, ~~for example~~ of the Clark County

9 School District. We have filed charges against the

10 Clark County School District, ^{and it} ~~this~~ is now being

11 looked at ~~and developed~~ by the Department of Justice,

12 ~~and the Civil Rights Commission.~~

13 ~~←~~ We have also looked at the Manpower

14 programs of ^{the} ~~this~~ city and the county, and we have

15 filed charges against the hiring practices ~~as well as~~ ^{and}

16 the training programs for Hispanics in this county.

17 We have not taken a look at what has happened in the

18 hotel industry in this town. For lack of resources

19 and so forth, this is not one of the issues we ^{have}

20 been involved in, so I don't know how much we can

21 contribute to this discussion. ~~But I think one of my~~

22 ~~main concerns is that I don't know, even, for example,~~

23 ~~in terms of name, they mention here Eva Garcia from~~

24 ~~the League of United Latin American Citizens. It's~~

25 ~~supposed to be the Latin Chamber of Commerce. We do~~

1 in fact have LULAC here in town. Perhaps the
 2 president of LULAC should have been informed of this
 3 meeting, and perhaps he could have put some input into
 4 this.

5 ~~Also the~~ Latin American citizens, ~~for~~
 6 ~~example,~~ who have some of these complaints ~~who~~ ^{and} have
 7 ~~been brought up or~~ ^{then to the attention of SEC and NERC as} individuals, ~~may have stepped~~
 8 ~~forward and those entities could also think in terms~~
 9 ~~of for example the Human Equity Club who have been~~
 10 ~~formed recently and have new members.~~ So my concern
 11 is I don't know how much we missed. This hearing has
 12 been given in order for people to step forward and
 13 perhaps address those issues.

14 MS. NOZERO: Well, on a personal basis
 15 I know that I contacted a member of LULAC and invited
 16 them to come, and was told that they would be here
 17 with people at least in the audience to observe; I
 18 don't see any of them here today. I don't know about
 19 Mr. Pilla.

20 MR. PILLA: There were over a hundred
 21 press advisories that were mailed out regarding this
 22 meeting. Other than that I can't --

23 MR. MERIDA: To whom did you send them?

24 MR. PILLA: To all media in the state,
 25 and then all department organizations that I had.

1 ~~MR. MERIDA: I will have to take a look~~

2 ~~at that.~~

3 MS. NOZERO: I did personally also
4 speak to Miss Garcia about making a presentation here
5 today and she told me she could not be available, but
6 that she would ask someone to come to speak. She had
7 not notified me who that was going to be until last
8 night after five o'clock.

9 MR. MERIDA: I tell you my concern is I
10 think sometimes this happens many instances and many
11 things that we are involved in is that sometimes the
12 information and so forth is not given to the right
13 individuals or to the right entities of media in
14 order for, in this case the Hispanic community to
15 come forth. I know for example only 100 people that
16 sent letters to, did we send it to the different
17 Hispanic medias.

18 MR. PILLA: El Mundo was the only
19 newspaper reporter that phoned me when I was still in
20 my office in Los Angeles.

21 MR. MERIDA: He got it Tuesday and it
22 was too late for publication this Tuesday.

23 I also think, for example, a newspaper
24 is the Las Vegas Sun is, in Saturdays, in Spanish, so
25 I'm sure if you had contacted the editor of that

1 ~~paper they would notice. But that would have to be~~
 2 ~~given like two or three weeks in advance.~~

3 MS. NOZERO: ~~If we gave your~~
 4 ~~organization some time to submit some writing to the~~
 5 ~~committee would you be interested in doing that?~~

6 MR. MERIDA: ~~Specifically in terms of~~
 7 the Latin Chamber of Commerce I don't know how much
 8 we can contribute in terms of specifics since this is
 9 not an area ^{in which} we have been involved. ~~I think all other~~
 10 ~~entities might be able to.~~

11 MS. NOZERO: ~~I was wondering, in~~
 12 ~~testimony that we heard~~ this morning, we were told
 13 that there are monthly meetings held by casino and
 14 union representatives to discuss the progression of
 15 the consent decrees, ^{and} ~~and I believe Mr. McCall~~
 16 ~~mentioned~~ that invitations were regularly sent out to
 17 the representatives of the Latin Chamber of Commerce. ~~et~~

18 MR. MERIDA: That's not true. ^{As a} Matter
 19 of fact, we were not made aware of the results of the
 20 progress of this. I know for a fact, nobody has been
 21 contacted in terms of this issue. ~~On behalf of the~~
 22 ~~hotels or the Culinary Union.~~

23 MS. NOZERO: So your organization has
 24 not been involved?

25 MR. MERIDA: We ^{have} never been involved,

1 never been notified, we have never participated in
2 any type of ~~the~~ meetings ^{about} ~~along~~ this issue. They
3 might be sending it to someone else, but not to us.

4 MS. NOZERO: Did you ever have any
5 involvement in the decree itself?

6 MR. MERIDA: No.

7 MS. NOZERO: Any members of the
8 committee have any questions?

9 Thank you very much for your appearance,
10 Mr. Merida. We appreciate it. The meeting is now
11 adjourned, we thank everybody for their participation
12 and their time. We hope we'll be able to come up
13 with a report which will be of some value to some
14 people.

15 (Whereupon the deposition
16 proceedings were concluded.)

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CERTIFICATE OF REPORTER

STATE OF NEVADA)

ss

COUNTY OF CLARK)

I, Anna Maria Rodriguez, certified shorthand reporter, do hereby certify that I took down in shorthand (Stenotype) all of the proceedings had in the before-entitled matter at the time and place indicated and that thereafter said shorthand notes were transcribed into typewriting at and under my direction and supervision and the foregoing transcript constitutes a full, true and accurate record of the proceedings had.

IN WITNESS WHEREOF, I have hereunto affixed my hand this 15th day of Sept, , 1987.


ANNA MARIA RODRIGUEZ, C.S.R. #128