

Employment Opportunities for Minorities in Montgomery County, Ohio

Ohio Advisory Committee to
the United States Commission on Civil Rights

March 2000

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

The United States Commission on Civil Rights

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the 1983 act, as amended by the Civil Rights Commission Amendments Act of 1994, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, disability, or national origin, or in the administration of justice: investigation of individual discriminatory denials of the right to vote; study and collection of information relating to discrimination or denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection of the law; investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections; and preparation and issuance of public service announcements and advertising campaigns to discourage discrimination or denials of equal protection of the law. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 3(d) of the Civil Rights Commission Amendments Act of 1994. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference that the Commission may hold within the State.

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Letter of Transmittal

Ohio Advisory Committee to
the U.S. Commission on Civil Rights

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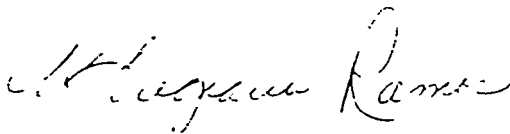
Ruby G. Moy, *Staff Director*

The Ohio Advisory Committee submits this report, *Employment Opportunities for Minorities in Montgomery County, Ohio*, as part of its responsibility to advise the Commission on civil rights issues within the State. The report was unanimously adopted by the Advisory Committee by a 13-0 vote.

This report is a summary of a factfinding meeting conducted in Dayton, Ohio, on June 11, 1998, regarding minority employment opportunity in administrative and professional positions in Montgomery County, Ohio. The three largest public employers, Wright-Patterson Air Force Base, Montgomery County, and the City of Dayton, and private employers with more than 1,000 employees attended the meeting and provided information to the Advisory Committee. In addition, the Advisory Committee also received testimony from the Dayton Area Chamber of Commerce, the U.S. Department of Labor, and several minority organizations.

The Advisory Committee is indebted to the individual participants for their time and expertise and to the Midwestern Regional Office staff for the preparation of this report. The Advisory Committee trusts the Commission and the public will find the material in this report informative.

Respectfully,



Altagracia Ramos, *Chairperson*
Ohio Advisory Committee

Ohio Advisory Committee to the U.S. Commission on Civil Rights

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**Statement of Michael R. Turner
Mayor, City of Dayton,
to the Ohio Advisory Committee to the
U.S. Commission on Civil Rights
June 11, 1998**

I want to thank the Ohio Advisory Committee to the U.S. Commission on Civil Rights for coming to Dayton, Ohio. In addition, I want to thank you for the importance of the activities that you perform.

It is exciting to have you in our community. I have looked at the schedule of the people that will be testifying before you today and I appreciate both the breadth of the groups that are coming before you and the importance of the issues you are examining.

As Mayor of the City of Dayton I welcome you on behalf of the entire City Commission of Dayton. We are a very proud city, and I would like you to note that we have been rated one of the seven most livable cities in the Midwest out of the top 25.

I am very proud of that ranking. We are definitely a city that people think of when they think of peace, having been the site of the Dayton Peace Accord and negotiations between Croatia and Bosnia, the former Yugoslavia Republic.

So we welcome you and hope your time is productive.

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Chapter 1

Introduction

Civil Rights Act of 1964

For many years in this country, discrimination in employment, education, and housing on the basis of race, color, religion, national origin, and gender was a legal and accepted practice. Gradually more and more individuals challenged the rights of property owners and employers to deny equal opportunity to all citizens. These protests eventually forged a coalition that resulted in the passage of the Civil Rights Act of 1964,¹ which made such actions illegal.

Title VII of the Civil Rights Act of 1964² establishes a specific prohibition against employment discrimination on the basis of race, color, religion, gender, and national origin.³ Under the act, discrimination on these grounds by employers who have 15 or more employees is prohibited in all aspects of the employment process, i.e., job applications, hiring, termination, promotions, training, wages and compensation, and all other terms or conditions of employment. Section 703(a) of title VII reads in part:

It shall be an unlawful employment practice for an employer . . . to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin.

To enforce the provisions of the Civil Rights Act of 1964, the Equal Employment Opportunity Commission (EEOC) was established and charged with the responsibility to investigate alleged and suspected acts of employment discrimination.⁴

¹ Pub. L. No. 88-352, 78 Stat. 241, codified as amended at 42 U.S.C. § 2000a *et seq.* (1988 & Supp. 1994).

² 42 U.S.C. §§ 2000e-2000e-17 (1988 & Supp. 1994).

³ The Americans with Disabilities Act of 1990 extended employment discrimination protections to individuals with disabilities.

⁴ 42 U.S.C. § 2000e-4 (1988 & Supp. 1993).

The EEOC's jurisdiction encompasses all government employers, including Federal, State, and local entities and their subunits, private employers, employment agencies, educational institutions, and labor organizations.

Affirmative Action

The Civil Rights Act of 1964 only prohibits employment discrimination, i.e., different treatment to individuals on the basis of race, color, religion, gender, and national origin who are otherwise qualified to perform the job. Equal employment opportunity is the affirmative practice of affording identical employment opportunities for similarly qualified individuals. Equal employment opportunity includes the practice of nondiscrimination in employment decisions in addition to deliberate, proactive efforts by employers to ensure that qualified minorities, women, and people with disabilities within the recruiting area are identified and offered opportunities to apply for available employment at all levels of the organization.

Equal employment opportunity efforts are formally set out in affirmative action programs. In recent years affirmative action programs have been established to identify, recruit, promote and/or retain qualified women, members of minority groups, and the people with disabilities in employment opportunities. These affirmative action programs are forms of deliberate outreach to formerly excluded segments of society, both to counteract the consequences of past discrimination and to ensure nondiscrimination and equal employment opportunity in current practices.

The principal legal requirement of affirmative action in the employment sector for private employers at the Federal level is Executive Order 11246, as amended,⁵ first signed by Presi-

⁵ Exec. Order No. 11246, 3 C.F.R. § 339 (1964-65) *reprinted in* 42 U.S.C. § 2000e note (1988).

dent Lyndon B. Johnson in 1965 and amended in 1967 to include gender as a protected status. Executive Order 11246 requires affirmative action for Federal contractors, and orders the inclusion of an equal opportunity clause in every contract with the Federal Government.

All Government contracting agencies shall include in every Government contract hereafter entered into the following provisions: During the performance of this contract, the contractor agrees as follows: (1) The contractor will . . . take affirmative action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, color, religion, sex or national origin.⁶

Section 503 of the Rehabilitation Act of 1973⁷ similarly requires covered Federal contractors to engage in nondiscrimination and affirmative action for qualified "handicapped" individuals.⁸

The affirmative action obligation on firms with Federal contracts is monitored by the Secretary of Labor through the Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor. The OFCCP considers affirmative action as the deliberate effort by employers to eliminate existing barriers to equal employment opportunity, specifically:

[Affirmative action] is the set of positive steps that employers use to promote equal employment opportunity. . . . It refers to a process that requires a government contractor to examine and evaluate the total scope of its personnel practices for the purpose of identifying and correcting any barriers to equal employment opportunity.

Executive Order 11246, similar to other Presidential Executive orders, can be revoked, abrogated, or modified by the President, including Presidents subsequent to the incumbent issuing the order. Since the promulgation and amendment of Executive Order 11246, the order has remained in force, intact, and unmodified for 30 years through the Presidencies of Richard M. Nixon, Gerald R. Ford, Jimmy Carter, Ronald Reagan, George Bush, and William Clinton. Similarly, the employer groups that addressed

⁶ Exec. Order No. 11246, § 202, 3 C.F.R. 339 (1964-65). *reprinted as amended in* 42 U.S.C. § 2000e (1994).

⁷ 42 U.S.C. § 794 (1988).

⁸ The 1992 amendments to the Rehabilitation Act changed the terminology to "qualified individuals with disabilities."

the Advisory Committee expressed their support for the affirmative action program under Executive Order 11246.

In recent years affirmative action programs, such as the one enforced by the OFCCP, have come under increasing criticism. Much of the criticism directed at affirmative action programs equates affirmative action with quotas and preferential treatment in order to obtain race and gender proportional representation in the work force. Affirmative action programs in employment, as enforced by the OFCCP, U.S. Department of Labor, are neither programs of preferential treatment, nor quotas, nor designed to artificially produce proportional representation. Affirmative action programs in the employment sector are constrained by the Civil Rights Act of 1964, which states in section 703, title VII, section (j):

Nothing contained in this title shall be interpreted to require any employer . . . to grant preferential treatment to any individual or to any group because of the race, color, religion, sex, or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex, or national origin employed by any employer.⁹

Study on Equal Employment Opportunities for Minorities in Montgomery County, Ohio

The U.S. Commission on Civil Rights is charged with the duty to study and collect information relating to discrimination or a denial of equal protection of the laws under the Constitution because of race, religion, sex, age, disability, color, and national origin. The Commission is also to appraise Federal laws and policies with respect to discrimination or a denial of equal protection of the laws.

An Advisory Committee to the U.S. Commission on Civil Rights has been established in each of the 50 States and the District of Columbia. Advisory Committees are to advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission, and receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee.

⁹ 42 U.S.C. §§ 2000e-17 (1988 & Supp. 1994).

The Ohio Advisory Committee to the U.S. Commission on Civil Rights is composed of 13 members. It is bipartisan, including representation from both political parties as well as the different geographic regions of the State. The Ohio Advisory Committee is also independent of any National, State, or local administration or policy group.

The purpose of the Advisory Committee study on "Employment Opportunities for Minorities in Montgomery County, Ohio" is to examine the employment practices of large public and private employers in order to ascertain the continuing existence, if any, of patterns and practices tending to exclude minorities from managerial and professional positions.

Design and Methodology of the Study

The study was designed to determine if there is a difference in minority employment between private employers and public employers. The study was limited to managerial and professional positions, because these are typically the highest paying and most prestigious employment positions, and to employers with employment of at least 1,000 individuals. If differences were found to exist between private employers and public employers, i.e., if minority employment in better paying jobs in the public sector were higher than minority employment in the private sector, this study aimed to determine the barriers that exist to minority equal employment opportunity in the private sector.

The methodology of the study had three parts. First, determine the status of race relations in Montgomery County, particularly as it relates to employment. A negative climate of race relations may play a role in impeding equal employment opportunity. Chapter 2 discusses race relations in Montgomery County.

Second, demographic data and employment data from public and private employers were analyzed for differences in employment opportunities for minorities between private sector employers and public sector employers. If a difference exists in minority employment rates between private and public employers, controlling for firm size and job types, then there is an inference of different employment opportunities

for minorities in public sector jobs as opposed to private sector jobs. Chapter 3 contains the data analysis.

Third, in the course of the study testimony was collected from public sector and private sector employers about equal employment opportunity for minorities. A public factfinding meeting was held on June 11, 1998, in Dayton, Ohio, for the public receipt of information and to solicit specific organizational information on employment processes and procedures. The meeting was open to the public. Formal invitations were made to the largest public and private employers, as well as representatives from the Montgomery County Chamber of Commerce, the OFCCP/U.S. Department of Labor, the National Conference for Community and Justice, the Dayton Urban League, the Dayton chapter of the NAACP, and the Montgomery County Hispanic Chamber of Commerce.

Twelve of the largest private employers¹⁰ in Montgomery County invited to testify included the following: General Motors/Delphi Systems (20,000 employees), Mead Corporation (5,000 employees), NCR Corporation (3,500 employees), Lexis-Nexis (2,500 employees), Bank One-Dayton (2,050 employees), Reynolds + Reynolds (2,000 employees), Dayton Power and Light (2,000 employees), Monarch Marking Systems (1,500 employees), Cox-Ohio Publishing (1,400 employees), National City Bank (1,300 employees), and Standard Register (1,000 employees). The three public employers invited to testify included: Wright-Patterson Air Force Base (23,000 employees), Montgomery County (4,750 employees), and the city of Dayton (3,000 employees). Chapter 4 presents the statements of the major employers regarding equal employment opportunities for minorities at their facilities in Montgomery County.

This report is a summary statement of the study and includes the findings and conclusions of the Ohio Advisory Committee. Pursuant to the purpose and responsibility of the Advisory Committee, the report is made available to the public, submitted to the U.S. Commission on Civil Rights for its consideration, and deposited to the Library of Congress in accordance with the Federal Advisory Committee Act.

¹⁰ Organizations in the health care, retail, and education sectors were not included in this study.

Chapter 2

Racial Attitudes in Montgomery County, Ohio

Dayton Daily News Survey of Race Relations

In 1979 and 1989 the *Dayton Daily News* surveyed residents on the importance and quality of race relations in the 6-county Miami Valley area. In both surveys, two questions were asked: "How important are race relations?" And, "What is the quality of race relations in the Miami Valley?" The respondents were divided into two groups: whites and minorities.¹

When asked in 1979, "What is the quality of race relations in Miami Valley?" among white respondents, 53 percent reported that race relations were either "excellent" (4 percent) or "good" (49 percent). Among minority respondents, less than 40 percent of minorities thought race relations were either "excellent" (2 percent) or "good" (37 percent). In contrast, only 10 percent of whites thought race relations were "poor," and none thought race relations were "very poor." Fifteen percent of minorities, however, thought race relations were "poor," and another 2 percent thought race relations were "very poor." Thirty-two percent of whites thought race relations were "fair," while 41 percent of minorities considered race relations "fair"² (see figure 2.1).

The paper repeated the survey 10 years later in 1989. Again respondents divided along racial lines, but the responses in 1989 revealed a diminishment in the perception of racial quality among both groups. Among whites, 39 percent reported that race relations were either "excellent" (2 percent) or "good" (37 percent)—a decrease from 53 percent reported 10 years earlier. Similarly, only 36 percent of minorities thought race relations were either "excellent" (3 percent) or "good" (33 percent)—a decline of 3 percentage points from 10 years earlier.

In the 1989 survey, 16 percent of whites thought race relations were "poor" (14 percent)

or "very poor" (2 percent)—an increase of 6 percentage points from 10 years earlier. Among minorities, 26 percent now considered race relations to be "poor" (23 percent) or "very poor" (3 percent)—an increase of 48 percent from the previous survey. Forty-two percent of whites in 1989 considered race relations "fair," while 36 percent of minorities in 1989 considered race relations "fair"³ (see figure 2.2).

Additionally, the *Dayton Daily News* surveyed residents in the Miami Valley about the importance of race relations. In 1979, 80 percent of whites responded that race relations were either "very important" (30 percent) or "important" (50 percent). Ninety-six percent of minorities, however, responded that race relations were either "very important" (46 percent) or "important" (50 percent). Among whites, 17 percent felt race relations were unimportant, and another 3 percent had no response. Four percent of minorities stated that race relations were unimportant.

Table 2.1
Importance of Race Relations

	<u>White</u>	<u>Minority</u>	<u>White</u>	<u>Minority</u>
	1979	1979	1989	1989
Very important	30%	46%	43%	64%
Important	50	50	53	31
Unimportant	12	4	4	4
Very unimportant	5	0	0	0
No response	3	0	0	1

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from *Dayton Daily News*

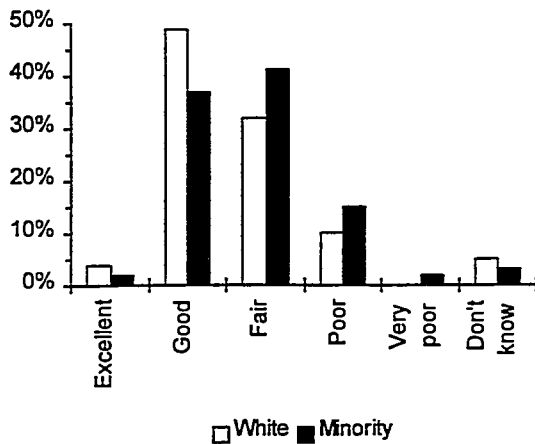
Ten years later in 1989, as whites had a lower opinion of the quality of race relations in the Miami Valley, a larger percentage felt that race relations were important. In the 1989, 96 percent of whites—virtually the same percentage

¹ *Dayton Daily News*, Feb. 15, 1990.

² Ibid.

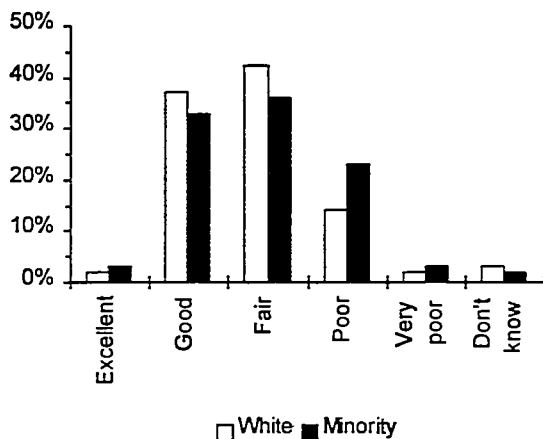
³ Ibid.

Figure 2.1
1979 Survey of Race Relations



SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from *Dayton Daily News*

Figure 2.2
1989 Survey of Race Relations



SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from *Dayton Daily News*

as minorities—felt that race relations were either “very important” (43 percent) or “important” (53 percent), an increase of 16 percentage points from 10 years earlier. The perception of the importance of race relations among minorities remained almost unchanged, the only significant change being that 18 percent more of minorities now considered race relations to be “very impor-

tant” (64 percent—up from 46 percent in 1979)⁴ (see table 2.1).

National Conference Survey of Race Relations

In 1994 and again in 1996, the National Conference for Community and Justice (NCCJ) of the Dayton area conducted a survey of the racial and religious attitudes of residents in Montgomery County, Ohio. The purpose of the survey was to gain better understanding of the racial attitudes and relations of citizens living in the county.

Questions were designed to assess the following: (1) racial and religious discrimination, (2) perceptions of equality of opportunity, (3) interracial feelings, (4) racial prejudice, (5) opinions about causes and solutions of racial tensions, and (6) willingness to work to reduce tensions. To gain understanding of why the racial attitudes, perceptions, and feelings mentioned above exist as they do, information was obtained about racial and religious group membership, racial and religious identification, age, region of childhood residence, current residence, childhood and current contact with people of other backgrounds, childhood and current family income, and educational level.

Respondents in the sample included 824 persons and represented all demographic groups in Montgomery County. Whites, who also included Appalachian whites, were 76 percent of the sample; African Americans were 14 percent; other minorities, who included American Indians, Latinos, and Asian Americans, were 5 percent; and others, who included biracial individuals and other categories, were 15 percent.⁵

Jenni Roer, executive director of the Dayton region National Conference for Community and Justice, testified about the survey.

The purpose of the survey was to assess the nature and extent of racial discrimination in the Dayton area and to examine the feelings and attitudes that are thought to be associated with the discrimination. African Americans and other minorities experience more discrimination than do whites. . . . Of the African Americans surveyed, 59 percent said they had experienced discrimination in the past year.

⁴ Ibid.

⁵ The National Conference for Community and Justice, Dayton chapter, *Survey of Racial and Religious Attitudes in the Dayton Area*, 1994, p. 12.

[Moreover], African Americans perceived discrimination in Montgomery County as a worse problem than elsewhere in the United States. . . . In terms of the severity of discrimination in Montgomery County compared to other metropolitan areas—where a rating of five indicated people perceived discrimination much worse than in other areas and a rating of one indicated a perception that the discrimination climate was much better in Montgomery County. Of the African Americans surveyed, the average rating was 3.2. Of those in the white community surveyed, the average rating was 2.9.

African Americans. . . . believe they have far fewer opportunities than whites in obtaining managerial promotions. Specifically, of the African Americans surveyed, 76 percent said there was less opportunity for managerial promotions versus 36 percent of those in the white community.

Current contact with people from different cultures or of racial backgrounds were associated with lower bias against African Americans. Dayton, however, is one of the more segregated cities in the United States, which means the opportunity for people to meet and associate with people in other racial or cultural groups is decreased.

African Americans are more inclined to attribute misfortunes such as low income, lack of education, high unemployment, and single parent homes to situational factors, such as unequal opportunity, limited access to jobs, or financial pressures. In contrast whites tended to attribute the misfortunes of African Americans to personal factors, such as lack of motivation, values, or discipline.⁶

The most common sources of racial discrimination reported against African Americans were from store clerks and salespeople (32.5 percent of respondents reporting discrimination), restaurant staff (23.7 percent of respondents reporting discrimination), work supervisors (23.7 percent of respondents reporting discrimination), and fellow employees (21.1 percent of respondents reporting discrimination). In contrast, in the employment setting just 2.4 percent of white respondents reported discrimination from their

work supervisor and 3.3 percent from fellow employees.⁷

Table 2.2
Major Categories of Discrimination,
Reported Incidence Rates

Category	Blacks	Whites
Store clerks	32.5%	3.5%
Restaurant staff	23.7	2.0
Work supervisor	23.7	2.4
Fellow employees	21.1	3.3

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from National Conference for Community and Justice data

The survey revealed a large gap between African Americans and whites in perceptions of equal opportunity. Most whites do not perceive that American society provides them with better opportunities than it does to African Americans. In all areas examined, more than 50 percent of the whites believed that African Americans had opportunities equal to themselves: quality education (71 percent), decent housing (57 percent), skilled labor jobs (71 percent), promotion into managerial jobs (62 percent), equal pay for equal work (77 percent), credit and mortgage loans (58 percent), equal treatment by the justice system (69 percent).

Fewer African American respondents rated their opportunities so positively. The percentage of African American respondents believing they had equal opportunity was less than 50 percent in all but one of the areas examined: decent housing (38 percent), skilled labor jobs (39 percent), promotion into managerial jobs (27 percent), equal pay for equal work (47 percent), credit and mortgage loans (26 percent), and equal treatment by the justice system (35 percent). Only in the area of quality education did most African Americans respondents (55 percent) believe that minorities had equal opportunity.⁸

Judging from the perceptions of opportunities, the areas of greatest concern in the Dayton area are the opportunities for African Americans to obtain promotions into managerial jobs and to get credit loans and mortgages. In some re-

⁶ Testimony of Jenni Roer before the Ohio Advisory Committee to the U.S. Commission on Civil Rights, factfinding meeting, June 11, 1998, Dayton, OH, transcript, pp. 109–19 (hereafter cited as Transcript).

⁷ The National Conference for Community and Justice, Dayton chapter, *Survey of Racial and Religious Attitudes in the Dayton Area*, 1994, pp. 44–45.

⁸ *Ibid.*, p. 67.

spects, however, the perceived opportunities for African Americans and other minorities are better in Montgomery County than in the rest of the country. In particular, with regard to opportunities for quality education, quality housing, equal pay for the same work, fair treatment by police, and fair punishment under the law, local African Americans were more optimistic than their national counterparts. In addition, white respondents were also more inclined than their national counterparts to believe that equal pay for the same work, fair treatment by the police, and fair punishment under the law exist for both races.⁹

Table 2.3
Perception of Equal Opportunity for Selected Categories, Reported Respondent Rates

Category	Blacks	Whites
Education	55%	71%
Housing	38	57
Skilled labor jobs	39	71
Promotion to managerial jobs	27	62
Equal pay	47	77
Credit	26	58
Criminal justice	35	69

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from National Conference for Community and Justice data

Three measures of racial prejudice were measured in the survey: "old-fashioned," "modern white racism," and a measure of "racial attitudes." Old-fashioned racism is defined as the more obvious and overt racism that endorses biased attitudes against minorities. Modern racism is defined as the more subtle and covert endorsement of attitudes that indirectly express biases against minorities.

White respondents with less current contact with African Americans showed more racism of both types. White respondents who identified more strongly with their religious group, regardless of which group, expressed less modern white racism than respondents who did not identify strongly with their religion. Respondents with higher current and childhood contact with other races displayed less prejudice. More interracial contact is clearly related to less prejudice.

⁹ Ibid.

The survey concluded that racial discrimination provokes substantial anger in its victims. Racial discrimination of all kinds was associated with more current interracial contact. Obviously, discrimination between races is only going to occur when there is interaction between those races. However, this finding does show that intergroup contact does not always produce positive outcomes. African Americans in particular believe that media treatment of racial issues is slanted against them. In focus group discussions, television, for example, was often cited for presenting African Americans in the worst situations while failing to present African Americans' accomplishments.¹⁰

Racial Segregation in Montgomery County

The 1990 census recorded 573,809 residents in Montgomery County. Although predominantly white, the county has a large minority population, of which 101,750 (17.7 percent of the county population) are African American; 1,267 (0.2 percent of the county population) are American Indian; 5,269 (0.9 percent of the county population) are Asians and Pacific Islanders; and 4,153 (0.7 percent of the county population) are Latinos.

African Americans are the dominant minority group living in Montgomery County, comprising 89 percent of all minorities in the county. No other minority group, i.e., American Indians, Asian Americans, Pacific Islanders, or Latinos, is more than 1 percent of the county's population.

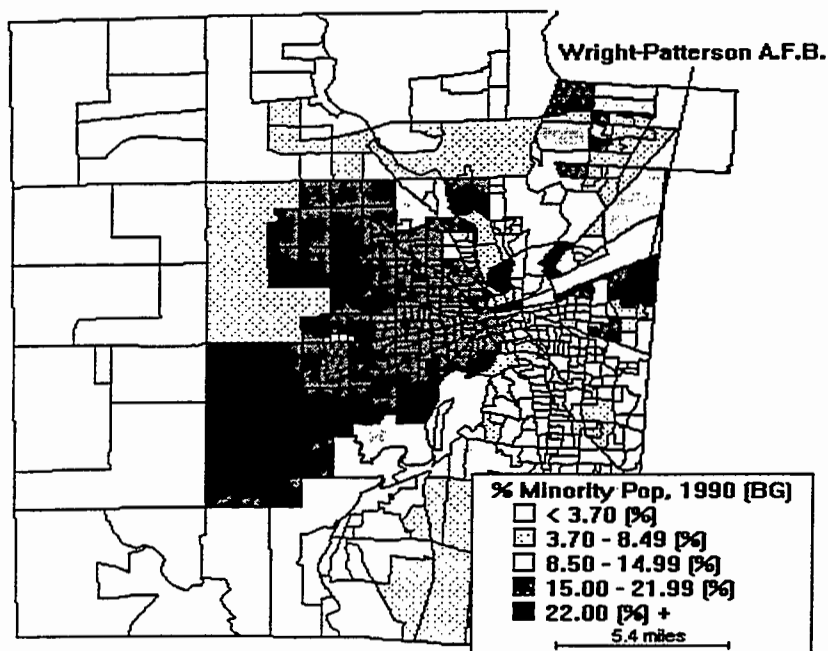
Table 2.4
1990 Population of Montgomery County, Ohio, by Race and Ethnicity

Population	Number	Percent
White	463,991	80.9
Black	101,750	17.7
American Indian	1,267	0.2
Asian/Pacific Islander	5,269	0.9
Latino	4,153	0.7
Other	1,532	0.3
Total	577,962	100.0

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from U.S. census data

¹⁰ Ibid., p. 139.

Figure 2.3
Minority Population in Montgomery County, Ohio



SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office

The African American population finds itself concentrated within the city limits of Dayton, particularly on the west side of the city. Montgomery County is essentially a black and white county, with African Americans living in the city of Dayton's west and northwest districts. The population outside the city of Dayton is virtually all white, with the minority population outside the city limits exceeding 3 percent in only a few census blocks of Montgomery County. Figure 2.3 depicts Montgomery County and Wright-Patterson Air Force Base along with the percentage ranges of the minority population in the county by census block.

Census updates show the population of Montgomery County to be relatively constant from 1990, but a decline in population for the city of Dayton—a decline that has continued since 1960. There were an estimated 178,540 people living in Dayton in 1994. This figure is down from the city's peak population in 1960 of 262,000. Montgomery County's population peaked in 1970 at 608,000 and has now stabilized at about 572,000. Today, Dayton's population is only 30 percent of

all the people living in the county. While this move out of central cities into suburbs is typical of the development patterns of many cities throughout the United States, it is particularly pronounced in the Dayton area.¹¹

Community Perspectives on Racial Attitudes and Employment Opportunities

At the Committee's factfinding meeting, four speakers testified about racial attitudes in Montgomery County. They included Phillip L. Parker, president of the Dayton Area Chamber of Commerce; Jessie O. Gooding, president of the Dayton chapter of the NAACP; Willie F. Walker, president of the Dayton Urban League; and Alexander Luque, president of the Greater Dayton Hispanic Chamber of Commerce.

Parker told the Committee that the tight labor market in the Montgomery County area makes the implementation of equal employment opportunity a necessity because employers need

¹¹ City of Dayton, Department of Planning, *CitiPlan Dayton: The 20/20 Vision*, December 1996, p. 3.

all the qualified employees they can find to continue the economic upturn in the Miami Valley region.

There are over 40,000 available jobs in our region, which is not just Montgomery County but also includes Greene and Preble Counties. That means there is a lot of opportunity for people of all backgrounds to find good jobs. We need to make sure that we steer them towards those jobs, make those jobs available to them through job centers and any other sources we have, and make sure they have the skill sets and the education and the readiness that they are going to need to be successful with a local employer.

The Chamber recently did some research on the topic of diversity. We learned that sometimes employers did not understand that once a [minority] person was hired, there may be cultural differences so that the person may not want to stay in that organization. I had not personally thought about this aspect of the issue. I had always simply thought you go out and hire making sure you give everyone equal opportunities. I did not think about the fact that a person can come into a particular job well-trained, well-educated, but of such a diverse background that many times the culture of that business might be such that the people that are there that come in new have a tendency not to be successful, because they do not seem to think that they are wanted or fit in. Somehow we have to change that whole paradigm. That is the part of diversity management we need to work on, that unsuccessful part where [minority] people with all the skills employers are looking for, why are they not being successful.

The Chamber has been trying to do its part to promote more diversity. . . . One of these projects is a project to make ourselves, the Chamber, more cognizant of multicultural issues. We want to train ourselves in diversity issues, so that we can take this and train other businesses in how to understand cultural differences and make the very best of those cultural differences.

To this end the Chamber has developed good working relationships with the Hispanic Chamber and with the African American population in this community. The Chamber also has relationships with the other growing minority populations, people from Asia and the Pacific rim and the American Indians in our community.¹²

Jessie Gooding, president of the Dayton chapter of the NAACP, addressed three issues regarding racial attitudes in Montgomery County

¹² Testimony of Phil Parker, Transcript, pp. 7-34.

and the effect on equal employment opportunity for minorities. First, there is overt discrimination against minorities in the workplace. Second, qualifications and personnel procedures are adjusted for the higher professional and management positions, which tends to exclude minorities from these jobs. Third, he alleged that Federal and State agencies set up to combat discrimination in employment are not doing their job, essentially attempting to do only the minimum that is required.

The NAACP receives about 500 complaints per year, and two-thirds of them deal with employment issues. Most of the employment complaints are in the area of underemployment, termination and termination before the probationary period is over, and harassment on the job. . . . [Moreover] these complaints come from every kind of corporation, banks, big industries, small businesses, Federal Government, local government, hospitals, social agencies. . . . The NAACP is able to negotiate approximately 40 percent of these complaints successfully, that is the company is willing to discuss the matter with the NAACP and some type of resolution is reached.

For many positions, the term qualified is a nebulous term. The NAACP receives numerous complaints from individuals who are well-qualified, some with higher degrees, but they still have difficulty in obtaining positions. . . . Many times the standard is established in such a way that it does not fit the job and serves as a deterrent for those they do not want to hire. It is a situation similar to the way things were done in the former days in Mississippi: a minority person had to count the bubbles in the soap before he could put it in the water. These problems include the Federal Government, the State government, and local government. The government agencies may be doing a better job in some respects than private industry, but the difference is small. [Moreover] the government agencies are moving backwards whereas private industry has moved forward.

The NAACP refers many of its complaints to agencies such as the Ohio Civil Rights Commission, which in turn refers some of them to Federal agencies such as the EEOC. Of the number of cases referred to these agencies, most all of the cases are returned with a finding of no probable cause, and in our opinion a lot of these cases have merit. It seems these agencies are using a rubber stamp to say no probable cause.¹³

¹³ Testimony of Jessie Gooding, Transcript, pp. 161-79. Regarding the allegation that government agencies do not aggressively pursue charges of discrimination, a spokesperson for the Ohio Civil Rights Commission stated: "Often [the agency] knows there is discrimination, knows what has

Willie Walker, president of the Dayton Urban League, discussed four issues regarding racial attitudes in Montgomery County and the effect on equal employment opportunity for minorities. First, there is the persistence of high unemployment in the African American community. Second, education has allowed a number of minorities to gain employment, but without education the prospects for employment are bleak. Third, a peculiarity of the job market is that the opportunities for employment are with the small employers, and that is a problem for minorities because historically the smaller firms have been more reluctant than the larger firms to hire African Americans. Fourth, he alleged that often artificial job requirements are in place, which are not essential to the performance of the job. Finally, he argues that government agencies set up to combat discrimination in employment are constrained by the recent restrictive decisions of the U.S. Supreme Court, with the result that employers are virtually free to discriminate without penalty should they choose to do so.

The primary business of the Urban League is to work in the area of employment. The Urban League places approximately 500 individuals in jobs annually. Since the 1960s the unemployment rate for African Americans has consistently been at least double, and sometimes triple, that of whites. In 1995, the latest statistics that we have available, the unemployment rate for African Americans is 12 percent as compared to a 3.9 percent unemployment rate for whites. . . .

The job opportunities are in small businesses, and therein lies the problem. Small businesses traditionally have not hired black applicants. Their hires have almost always been "lily-white." Small entities are also entities that are not covered by most of the affirmative action rules; they escape them because of their low employment level.

There are a lot of artificial barriers set up by many companies that preclude real equal employment opportunity for minorities. One may say that a bachelor's degree is needed for a particular position, though

happened, but cannot find probable cause unless there is a preponderance of evidence that must be demonstrated before making such a finding. Agencies have found discrimination has become more subliminal, a little easier to cover up. It is more difficult to prove even when agency personnel believe in their hearts that discrimination has occurred . . . and that is unfortunately a shortcoming within the laws that the agencies have to abide by" (see remarks of A. Ramos, Transcript, pp. 179-80).

that may not necessarily be the case. One may need a little training beyond high school or a year or two at a community college, but not the college degree.

Recent Supreme Court decisions have made changes to the Federal law. These changes have created a situation where an individual must have so much information and reach such a high burden of proof that it has created a barrier [to obtaining relief]. Individuals that are being discriminated against and rightfully have good charges have become frustrated enough so that they often will not even bring charges. These changes have allowed employers that do not desire to play fair and have an open playing field to go on and operate [in a discriminatory manner] without any concern of being called on the carpet for their actions. . . . In companies which have done well in providing equal employment opportunity, it has always been the case that it has been pushed from the top down to the managers and personnel directors.¹⁴

Alexander Luque, president of the greater Dayton Hispanic Chamber of Commerce, told the Committee that the Hispanic community in Montgomery County is very small in percentage terms and that problems of equal employment opportunity do not have the magnitude for Latinos that they have for African Americans.

As an organization our membership consists of 12 to 15 businesses. We also represent 60 to 66 individual affiliates and associate members that are not business owners, but that are Hispanic in heritage or work in a company that is non Hispanic. The organization serves as a clearing center of organizations for all the national issues with our members. We do networking and promote the interest of Hispanic business owners, and for the most part have not experienced or been involved with the issues of unemployment and underemployment as addressed by the Urban League and the NAACP.

The greater Dayton Hispanic Chamber of Commerce has not and is not contacted by area businesses for any training, education, or employment opportunities for Hispanics. The one exception is once a bank contacted the organization looking specifically for an individual that could serve with their international banking division where the ability to speak a second language, in this case Spanish, was the requirement sought in an applicant.¹⁵

¹⁴ Testimony of Willie Walker, Transcript, pp. 163-82.

¹⁵ Testimony of Alexander Luque, Transcript, pp. 168-69.

Chapter 3

Data Analysis

The purpose of the data analysis is to discern specific racial differences in employment patterns between minorities and nonminorities in managerial and professional jobs. The design of the data analysis in this chapter has seven sections: (1) area employers, industry, and employment; (2) unemployment and labor force participation rates; (3) managerial and professional

ment. Sections 3, 4, 5, and 6 contain statistical analysis of the data.

Area Employers, Industry, and Employment

Montgomery County, Ohio, is home to 48 large employers, defined as companies with employment exceeding 1,000. The economic base of the county is diversified in terms of its products and

Table 3.1
Major Montgomery County Private Employers, Excluding Retail, Health Care, and Education

Company	Employees	Product or service
General Motors	20,000	Motor vehicles
Airborne Express	7,000	Freight
NAVISTAR International	5,000	Truck and bus bodies
Mead	5,000	Paper products
AK Steel	4,200	Steel
NCR Corporation	3,500	Computers
Copeland	2,600	Air conditioning
Emery Worldwide Services	2,500	Package delivery
Lexis-Nexis	2,500	Information services
Bank One-Dayton	2,000	Banking
Reynolds + Reynolds	2,000	Information management
Dayton Power and Light	2,000	Electric and gas utility
Dayton Thermal Products	1,900	Motor vehicle parts
ALCOA	1,800	Aluminum production
Monarch Marking Systems	1,500	Barcode printers
Hobart Brothers	1,400	Welding equipment
Cox-Ohio Publishing	1,400	Newspaper publishing
National City Bank	1,300	Banking
Allied Signal	1,100	Motor vehicle parts
Standard Register	1,000	Computer and office equipment

SOURCE: Dayton Area Chamber of Commerce

jobs and minority availability; (4) private employers and the utilization of minorities in managerial and professional jobs; (5) public employers and the utilization of minorities in managerial and professional jobs; (6) utilization of minorities in managerial and professional jobs by individual firms; and (7) educational attain-

services. Manufacturing, education, public administration, transportation, automotive, retail, hospitals, information services, computers, and aviation are some of the industries in the county. Excluding firms that are retail businesses, health care facilities, and education entities, the largest private employers and their employment (to the nearest 100) and product are shown in table 3.1.

Table 3.2
Montgomery County White and Blue Collar
Employment, Occupations, and Industry
Work Force

	Number	Percent
Persons 16+		
Employed persons	265,950	46.3
White collar	164,616	61.9
Blue collar	101,334	38.1
Male	140,620	52.9
Female	125,330	47.1
Occupation		
Executive/managerial	35,591	13.4
Professional	41,231	15.5
Administrative support	44,915	16.9
Sales	31,610	11.9
Services	29,114	10.9
Crafts/skilled trade	26,700	10.0
Other	56,789	21.4
Industry		
Retail trade	47,874	18.0
Manufacturing	41,209	15.5
Health services	26,507	10.0
Education	20,407	7.7
Other profession	17,525	6.6
Public administration	17,290	6.5
Other	95,138	35.8

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from U.S. census data

Four government employers with employment over 1,000 also serve the public in Montgomery County: Wright-Patterson Air Force Base (Federal), employing 9,000 individuals; the Veterans Affairs Medical Center (Federal), employing 1,800 individuals; the county of Montgomery (county), employing 5,000 individuals; and the city of Dayton (local), employing 2,000 individuals.

The Montgomery County area began a surge of growth in the first half of the 20th century. The growth of the city of Dayton and Montgomery County in the 1920s and 1930s was primarily due to outside migration—particularly from Appalachia and the South—to the area's many manufacturing jobs producing everything from refrigerators to car parts to paper products. In recent years, however, that legacy of manufacturing has declined significantly. Of the jobs that Montgomery County currently provides, only 15 percent are in manufacturing, while the retail sector has become the area's largest employing industry.

National trends as well as local indicators suggest that the manufacturing sector of the economy will continue to decline.

As the manufacturing base in the county declined, the proportion of white-collar jobs increased. Sixty-two percent of all jobs in Montgomery County are now classified as white collar (see table 3.2). These include executive, managerial, professional, technical, sales, office, clerical, and administrative support positions. The service sector has shown strong rates of growth in the Montgomery County area, generally increasing at a rate of over 7 percent through the early 1980s and over 4 percent annually since. In the city of Dayton, the service sector has shown much more modest rates of growth and actually showed a decline in the number of jobs between 1987 and 1995. Developments in the health care industry have also had a major impact on the local economy, since Dayton is home to six major health care providers.

Unemployment and Labor Force Participation

Two common statistics to measure labor market conditions are the unemployment rate and the labor force participation rate. The unemployment rate indicates the extent to which available labor resources are used. It is calculated by determining the ratio of individuals unemployed to the number of individuals in the labor force. To be considered part of the labor force an individual must be 16 years of age or older and either *employed* or *unemployed*.

For purposes of determining labor market conditions, *unemployed individuals* are people who are 16 years of age or over, did not work during the survey period, were available for work, and were (1) looking for work during the past 4 weeks, (2) waiting to be called back to a job from which they had been laid off, (3) had a job to which they were going to report within 30 days, or (4) would have been actively looking for work had they not been ill. Individuals who are not employed and are no longer looking for work are not considered unemployed, rather they are considered outside, i.e., not participating in the labor force.

In Montgomery County African Americans suffer a much higher rate of unemployment than whites. The unemployment rate for African Americans in the county is 13.1 percent, while the unemployment rate for whites in the county is 4.6 percent. African Americans have more

than twice the unemployment of whites (see table 3.3).

Not only do African Americans suffer higher rates of unemployment, but their rate of participation in the labor force is significantly lower than that of whites. In 1996 whites in Montgomery County participated in the labor force at a rate of 65.9 percent. That means that 65.9 percent of all white adults were either employed or considered officially unemployed. The participation rate for African Americans is much lower, 55.5 percent (see table 3.4).¹ This is evidence of a much larger proportion of African Americans than white workers being discouraged workers, i.e., workers without jobs who no longer actively seek work. Put in other terms, in Montgomery County African Americans—who are 18 percent of the county's population—are 15 percent of the county labor force.² This contrasts with whites, who are 81 percent of the county's population and 84 percent of the county labor force.

Table 3.3
Unemployment Rates for Whites and Blacks in Montgomery County

Whites	4.6%
Blacks	13.1%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from U.S. Department of Labor, Bureau of Labor Statistics, 1996 geographic profile of employment and unemployment

Table 3.4
Labor Force Participation Rates for Whites and Blacks in Montgomery County

Whites	363,373	65.9%
Blacks	42,916	55.5%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from Ohio Bureau of Employment Services, 1996 geographic profile of employment and unemployment

¹ Ohio Bureau of Employment Services, Labor Market Division.

² Ibid. Note: the labor force includes individuals over the age of 16 who are employed or actively seeking employment. Individuals not seeking employment are not considered part of the labor force.

Managerial and Professional Jobs and Minority Availability

As part of its mandate under title VII of the Civil Rights Act of 1964, as amended,³ the EEOC requires annual reports from private employers as to the composition of their work forces by race, gender, ethnicity, and job category. This information is recorded on EEO-1 survey forms, and is required of all private employers subject to the provision of title VII of the Civil Rights Act with 100 or more employees, and all private employers with Federal contracts with 50 or more employees. Financial institutions are mandated to report if they serve as a depository of Government funds in any amount or are a financial institution that is an issuing and paying agent for U.S. Savings Bonds. Mortgage companies affiliated with a financial institution are also required to report as are companies with fewer than 100 employees if they are owned or affiliated with another company and the entire enterprise employs a total of 100 or more employees.⁴

The EEO-1 report includes all full-time and part-time employees listed by race/ethnicity, sex, and job category. There are five racial and ethnic categories:

- *White (Not of Hispanic origin)*. All persons having origins in any of the original people of Europe, North Africa, or the Middle East.
- *Black (Not of Hispanic origin)*. All persons having origins in the black racial groups of Africa.
- *Hispanic*. All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- *Asian or Pacific Islander*. All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.
- *American Indian or Alaskan Native*. All persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.⁵

³ 42 U.S.C. §§ 2000e-2000e-17 (1988 & Supp. 1994).

⁴ U.S. Equal Employment Opportunity Commission, *Employer Information Report Instructions*, p. xxv.

⁵ Ibid.

Table 3.5
Occupational Employment in Montgomery County by Race/Ethnic Group

Group	Officials/ managers	Professional	Technical	Sales	Clerical	Blue collar
Total	36,456 100%	42,005 100%	11,669 100%	33,469 100%	47,088 100%	75,225 100%
White	32,131 88.1%	36,435 86.7%	9,872 84.6%	29,891 89.3%	38,728 82.2%	62,266 82.8%
Minority	4,465 12.2%	5,838 13.9%	1,788 15.3%	3,732 11.2%	8,616 18.3%	12,959 17.2%
Black	3,943 10.8%	4,625 11.0%	1,391 11.9%	3,199 9.6%	7,898 16.8%	11,461 15.2%
Latino	192 0.5%	329 0.8%	80 0.7%	214 0.6%	371 0.8%	689 0.9%
Asian	273 0.7%	795 1.9%	259 2.2%	190 0.6%	270 0.6%	550 0.7%
American Indian	57 0.2%	89 0.2%	58 0.5%	129 0.4%	77 0.2%	259 0.3%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from Ohio Bureau of Employment Services data

EEO-1 reports contain nine occupational categories: (1) officials and managers, (2) professionals, (3) technicians, (4) sales, (5) office and clerical, (6) craft workers (7) operatives, (8) laborers, and (9) service workers. To ensure reporting uniformity the EEOC has established guidelines for the inclusion of employees in a category.

The officials and managers category, EEO-1 category 1, includes occupations requiring administrative and managerial personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Job titles include officials, executives, middle management, plant managers, department managers, and superintendents, salaried supervisors who are members of management, and purchasing agents and buyers.⁶

Professional jobs, EEO-1 category 2, are occupations requiring either college graduation or experience providing a comparable background. Job titles include accountants, auditors, airplane pilots, architects, artists, chemists, designers,

dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations specialists, physical scientists, physicians, social scientists, teachers, surveyors, and kindred workers.⁷

An aggregated availability of the nine EEO-1 category jobs was calculated by race (see table 3.5). In the Montgomery County labor force; African Americans are 10.8 percent of all individuals with the skills and/or experience to be executives, officials, managers, and administrators, i.e., hold EEO-1 category 1 jobs. The data also show African Americans to be 11 percent of all individuals with the skills and/or experience to perform professional jobs, i.e., hold EEO-1 category 2 jobs.⁸ In other words, these are the ratios of African Americans in Montgomery County currently employed or seeking employment whose present occupation, experience, and/or training is in executive, administrative, or pro-

⁷ Ibid.

⁸ Ohio Bureau of Employment Services, Labor Market Information Division.

⁶ Ibid.

fessional occupations.⁹ Whites are 88.1 percent of those in Montgomery County with the skills and/or experience to be executives, managers, and administrators, and 86.7 percent of those with the skills and/or experience to be professionals (see table 3.5).¹⁰

Analysis of the data shows that African Americans are significantly underrepresented in the top two EEO-1 categories, officials/managers and professionals, than expected given their percentage of the labor force. Using a point estimator of the observed proportion, π , in a binomial distribution, a confidence interval can be established for p by:

$$\pi - z\alpha/2 \cdot ((\pi \cdot q)/n)^{1/2} < p < \pi + z\alpha/2 \cdot ((\pi \cdot q)/n)^{1/2} \quad (3.1)$$

Computing equation 3.1, the confidence interval for p is:

$$0.143 < p < 0.165 \quad (3.1a)$$

where $\alpha = 0.05$. This means that it is likely with 95 percent probability that the observed proportion of African Americans in officials/managers positions should lie between 0.143 (14.3 percent) and 0.165 (16.5 percent). Note, however, that the observed proportion of African Americans who are officials and managers is actually 0.108 (10.8 percent), a rate significantly lower than what would be expected absent unusual circumstances.

Similarly for the professional positions, computing equation 3.1, the confidence interval for p is:

$$0.140 < p < 0.168 \quad (3.1b)$$

where $\alpha = 0.05$. The observed proportion of African Americans who are in professional positions is 0.11 (11.0 percent), again a rate at significant variance from the lower expected boundary of 0.140 (14.0 percent).

⁹ This term is considered "availability" in the utilization analysis of affirmative action programs. The analysis is restricted to African Americans because they are 90 percent of the minority population in Montgomery County and the populations of the other minority groups are too small for valid data analysis.

¹⁰ Ibid.

Private Employers and the Utilization of Minorities in Managerial and Professional Jobs

An analysis of composite EEO-1 data for all reporting private employers in the Montgomery County was conducted to determine the rate of utilization of African Americans in EEO-1 category 1, officials and managers, and EEO-1 category 2, professionals, compared with their availability in the general work force.¹¹ Among private employers African Americans are employed in officials and managers positions at a rate of just 6.3 percent—a utilization rate more than 4 percentage points lower than their availability in the labor force. Similarly with respect to the professional positions, African Americans are 11 percent of all professionals in the Montgomery County labor force, but hold just 5.7 percent of professional positions with private employers employing more than 100 individuals. This is a percentage difference of more than 6 percentage points (see table 3.6).

Contrasting the employment experience of African Americans with whites in the highest two job categories, whites are found to be overrepresented based on their availability. While whites are 88.1 percent of the officials and managers in the county, among private firms 92.1 percent of officials and managers are white. Similarly in professional positions, whites are 86.7 percent of the available work force in Montgomery County, but among private employers whites hold 90.8 percent of the positions.

Using an analysis similar to before, the data show that African Americans are significantly underrepresented among private employers in the top two EEO-1 categories, officials/managers and professionals, by private firms in Montgomery County given their availability for these positions in the labor force. Using the point estimator of the observed proportion, π , in a binomial distribution, the confidence interval is again established for p by equation 3.1:

$$\pi - z\alpha/2 \cdot ((\pi \cdot q)/n)^{1/2} < p < \pi + z\alpha/2 \cdot ((\pi \cdot q)/n)^{1/2} \quad (3.1)$$

Computing equation 3.1, the confidence interval for p with respect to officials and managers is:

¹¹ The analysis does not reflect all area employers, because only those firms with 100 or more employees are required to submit EEO-1 reports.

Table 3.6
EEO-1 Category Employment among Private Employers by Race/Ethnic Group

Group	Officials/ managers	Professional	Technical	Sales	Clerical	Blue collar
Total	10,697 100%	19,560 100%	6,787 100%	10,208 100%	15,058 100%	37,831 100%
White	9,857 92.1%	17,765 90.8%	5,967 87.9%	8,534 83.6%	12,363 82.1%	30,779 81.4%
Minority	840 7.9%	1,795 9.2%	820 12.1%	1,674 16.4%	2,695 17.9%	7,052 18.6%
Black	669 6.3%	1,106 5.7%	698 10.3%	1,463 14.3%	2,445 16.2%	6,585 17.4%
Latino	66 0.6%	135 0.7%	42 0.6%	78 0.8%	96 0.6%	205 0.5%
Asian	92 0.9%	510 2.6%	63 0.9%	113 1.1%	130 0.9%	191 0.5%
American Indian	13 0.1%	44 0.2%	17 0.3%	20 0.2%	24 0.2%	71 0.2%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from EEO-1 data

Table 3.7
Private Firm Utilization Rates of African Americans and Availability of African Americans for EEO-1 Categories 1 and 2

	Officials/managers availability	Officials/managers utilization rate by private firms	Professional availability	Professional utilization rate by private firms
White	88.1	92.1	86.7	90.8
Black	10.8	6.3	11.0	5.7

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from EEO-1 data

$$0.102 < p < 0.114$$

(3.2a)

where $\alpha = 0.05$. The actual utilization rate of African Americans as officials and managers by private employers is 0.063 (6.3 percent), a rate significantly lower than expected absent some unaccounted barrier to equal employment opportunity. For professionals, the confidence interval is:

$$0.106 < p < 0.114$$

(3.2b)

where $\alpha = 0.05$. The observed proportion of African Americans who are in professional positions

with private employers is 0.057 (5.7 percent), again a rate significantly lower than what would be expected absent some unaccounted barrier to equal employment opportunity.

The significant deviation in the rate of African American employment in officials/managers and professional positions from their participation rate in the labor force as demonstrated in equations 3.1a and 3.1b can partially be explained by institutional forces. These jobs require specific and higher levels of education, training, and experience, variables not controlled in computing equations 3.1a and 3.1b.

The significantly lower African American employment observed in equations 3.2a and 3.2b are not as easily dismissed. In equations 3.2a and 3.2b the lower employment level rates of African Americans in officials/managers and professional positions is observed even after education, training, and experience have been controlled, as Africans Americans have demonstrated these skills by virtue of their availability for these positions. Hence, equations 3.2a and 3.2b suggest the presence of real barriers to equal employment opportunity for African Americans by private firms in Montgomery County.

Public Employers and the Utilization of Minorities in Managerial and Professional Jobs

What is intriguing about the observed low levels of African American utilization in the two highest EEO-1 categories, officials/managers and professionals, is the comparatively high minority

Dayton have utilization rates of African Americans in officials and managers positions that exceed the percentage of African Americans qualified for those positions. Similarly, the county of Montgomery and the city of Dayton also have substantially higher utilization rates of African Americans in professional positions as compared with their availability (see table 3.8).¹³

It is possible that observed differences between public and private sector employers in the utilization of African Americans in professional positions could be influenced by group differences in specific education and training requisites. That is, certain exact higher skills are required to be employed in a professional position, e.g., engineer, and there is a difference between groups in the proportion of individuals who have attained the required job-specific skills.

But individuals employed in EEO-1 category 1 occupations, i.e., officials/managers, are persons

Table 3.8
Public Employer Utilization Rates of African Americans and Availability of African Americans for EEO-1 Categories 1 and 2

	Officials/managers availability	Officials/managers utilization rate by Wright-Patterson	Officials/managers utilization rate by county	Officials/managers utilization rate by city
White	88.1	84.9	70.6	69.5
Black	10.8	13.1	29.4	27.4
	Professional availability	Professional utilization rate by Wright-Patterson	Professional utilization rate by county	Professional utilization rate by city
White	86.7	89.2	63.4	65.3
Black	11.0	4.4	35.2	31.7

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from EEO-1 data

utilization rates in these two occupational categories by area government employers. Similar to the requirement on private firms, the EEOC requires annual reports from public employers as to the composition of their work forces by race, gender, ethnicity, and job category. This information is recorded on EEO-4 survey forms.

Excluding the Veterans Affairs Medical Center from the analysis,¹² Wright-Patterson Air Force Base, the county of Montgomery, and the city of

who have generally advanced to those positions of authority and responsibility from lower positions, whether within that organization or in another organization. Asserting that there are no group differences in innate leadership, organizational, and administrative skills, there should be no difference between public and private employers with respect to the proportion of African Americans employed in managerial positions.

¹² The data analysis has not considered the retail, education, and health care industries.

¹³ The data analysis for public employers does not include individuals working as officials/managers and professionals in the health care and public safety, e.g., fire, police, corrections, industries.

To examine whether observed differences between African Americans and whites exist between private and public sector employers, a test of the difference between the two proportions, p_1 and p_2 , was conducted, where p_1 is the proportion of African Americans in officials and manager positions with private employers and p_2 the proportion of African Americans in officials and managers positions with public employers. Using the private and public employer data, the test is defined by the following reduced form equation based upon independent samples having binomial populations:

$$z = (p_1 - p_2) / [pq((1/n_1) + (1/n_2))]^{1/2} \quad (3.3)$$

where z has a standard normal distribution and the level of significance, α , equals 0.05.¹⁴ Solving,

$$z = 2.08 \quad (3.3a)$$

The finding of z exceeding 1.96, the z -score associated with $\alpha = 0.05$, indicates a significant difference between the public employers and the private employers in utilizing African Americans in the organizations' managerial/officer positions. African Americans have a significantly higher likelihood of advancing to higher management positions in the public sector than they do in the private sector, all other things holding constant.

Utilization of Minorities in Managerial and Professional Jobs by Individual Firms

The finding above that African Americans have a significantly higher likelihood of advancing to higher management positions in the public sector than they do in the private sector can be further examined by analyzing the behavior of individual firms. EEO-1 data for 14 of the 19 firms listed in table 3.1 was obtained and analyzed.¹⁵ Among those 14 firms, the average employment rate of African Americans in EEO-1 category 1 jobs was 5.8 percent, which is lower—

¹⁴ Actual variables are $n_1 = 3,943$, $p_1 = 0.108$, $q_1 = 0.892$; and $n_2 = 364$, $p_2 = 0.148$, $q_2 = 0.852$, where subscript 1 refers to private employers and subscript 2 refers to public employers.

¹⁵ The data were obtained by the Midwestern Regional Office of the U.S. Commission on Civil Rights under a cooperative agreement with the EEOC and are subject to confidentiality provisions. Those provisions mandate that the data may not be released to the public in any manner or form that would compromise the identity of the individual firm.

but approximates—the area utilization rate of 6.3 percent. In the professional EEO-1 category, the average employment rate of African Americans was 8.1 percent, a rate substantially higher than the areawide rate of 5.7 percent for private employers (see table 3.9).

Table 3.9
Firm Utilization Rates of African Americans for EEO-1 Categories 1 and 2

Firm	Rate of officials/managers African American utilization	Rate of professional African American utilization
1	2.6%	5.5%
2	2.1	10.6
3	6.3	6.3
4	5.7	6.4
5	6.1	5.6
6	13.3	11.5
7	10.3	11.4
8	2.9	4.6
9	13.9*	17.1*
10	2.2	10.0
11	2.8	6.9
12	2.2	4.2
13	6.6	6.7
14	4.0	6.0
mean (σ):	5.8 (4.0)	8.1 (3.6)
r:	0.72	

σ = standard deviation

r = correlation

* indicates proportion is significantly different from the population

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from EEO-1 data

Analysis of the data shows a wide variance among the individual firms in the employment of African Americans in the higher occupations. One firm, identified as firm 9 in table 3.9, employs African Americans in officials and managers positions at a rate of 13.9 percent. This is a utilization rate on par with the public employers and exceeds the area availability rate of 10.8 percent for African Americans. The same firm displays a similar practice in employing African Americans in professional positions, employing them at a rate of 17.1 percent—a rate higher than the proportion of African Americans living in Montgomery County.

In contrast to firm 9, 6 of the 14 firms—43 percent of the firms—employ African Americans at a rate of less than 3 percent in officials and managers jobs. It is clear that there is a wide variance among private employers in opportunities for African Americans to advance into management positions.

Moreover, the commitment to equal employment opportunity appears to be *firm* specific, rather than dependent upon the types of jobs at the firm. This is deduced from the high correlation, 0.72, between the rate of black employment in officials and managerial jobs at a firm and the rate of black employment in professional positions at the same employer.

Educational Attainment

A continuing trend in labor markets is the requirement of education to qualify for quality employment opportunities, particularly the two highest EEO-1 categories: officials/managers and professionals. Phillip Parker, speaking before the Advisory Committee, specifically noted the importance of education.

Education and training is an important key factor in making sure that we provide and have good jobs for minorities. . . . I do not think we have done a good enough job in that [area]. . . . Here in this community there are a lot of young people dropping out of school that will not have the skills that employers want and need before they hire them. . . . We have to do a much better job of preparing our young people for the jobs that are available.¹⁶

In the years preceding enactment of the Civil Rights Act of 1964, educational opportunities that might qualify minorities for such managerial and professional jobs were closed to many African Americans. With the enactment of title VII, such discrimination on the basis of race was now prohibited. In the years immediately following the enactment of the Civil Rights Act of 1964, nationwide the college enrollment rates of African Americans between the ages of 18 and 24 began

to approach those of whites. By 1980, almost 28 percent of all African American high school graduates in this age group were enrolled in college, compared with 32 percent of white high school graduates. During the 1980s that trend stopped. By 1990, although an increasing percentage of white high school graduates between the ages of 18 and 24 were enrolling in college, the college enrollment rates for African Americans were stagnant. In 1990, 38 percent of all white high school graduates between the ages of 18 and 24 were enrolled in college, while African American enrollment rates remained at 28 percent.

The Dayton area reflected these national trends. Among all adults over the age of 22 in Montgomery County, Ohio, 13.7 percent of whites were enrolled in some form of postsecondary education. In contrast, only 7.5 percent of all African Americans in the county over the age of 22 were enrolled in a postsecondary education program.¹⁷

The observed difference in the percentage of African Americans in the Montgomery County area with college and graduate degrees, as well as the observed differences between whites and African Americans in college enrollment rates, suggests that differences in educational attainment are an explanatory variable in the observed differences between whites and African Americans in employment opportunities.

The data also suggest, however, an additional theory for observed differences between the racial groups in employment at the higher levels. In the years immediately following the enactment of the Civil Rights Act of 1964 college enrollment rates of African Americans began to approach those of whites. In the 1990s as college enrollment by white high school graduates surged to almost 40 percent, the enrollment rate of African Americans remained stagnant at the same time that there was an increasing requirement in labor markets for advanced education to qualify for higher paying positions.

¹⁶ Testimony of Phillip Parker, before the Ohio Advisory Committee to the U.S. Commission on Civil Rights, fact-finding meeting, June 11, 1998, Dayton, OH, transcript, p. 19.

¹⁷ Source: U.S. Commission on Civil Rights, Midwestern Regional Office, from U.S. census data. These figures were obtained by taking the number of individuals in each group enrolled in a postsecondary education program and dividing this number by the total population of the group over the age of 22 less the number of individuals of the group with a postsecondary degree.

Table 3.10
Educational Attainment of Individuals in
Montgomery County over the Age of 25 by Race

Education level	White	Black
High school diploma	79.2%	69.8%
College degree	21.2%	12.4%
Graduate degree	7.4%	4.1%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from U.S. census data

Individuals acting from a rational cost-benefit basis will undertake the necessary costs both in terms of time and money to obtain education to the level that expected benefits, i.e., higher wages, will equal the costs of the investment. Increasingly, whites clearly hold the expectation that investments in education yield additional benefits beyond the investment.

Controlling for socioeconomic status, African Americans, however, apparently do not hold the same expectation as whites. If they did, the rate of investment by African Americans in college education would be equal to whites. And for a brief period of time the postsecondary education rates between the two groups were merging. But as the post Civil Rights Act years passed and the country entered into new phases of civil rights, the expectations of African Americans concerning equal opportunity appear to have stagnated as observed by the college enrollment and attainment data. Such data indicate that African Americans are operating under a set of expectations at variance from white America and demonstrating by their actions that they believe there is a substantially lower likelihood of an African American being rewarded for additional education and training than is the case for their white counterparts.

Chapter 4

Employer Testimony

At the Committee's factfinding meeting, seven employers testified about employment opportunities in Montgomery County. Three speakers represented public employers: Wright-Patterson Air Force Base, the county of Montgomery, and the city of Dayton. Four individuals spoke on behalf of private employers: Bank One, NCR, Monarch Marking, and Standard Register.

Public Employer Testimony

Wright-Patterson Air Force Base

Michael O'Hara, director of civilian personnel at Wright-Patterson Air Force Base, told the Advisory Committee that most affirmative action programs are reactions by employers to external pressure. Operated this way, there can be some minimal success in terms of providing equal employment opportunity for minorities, but for real long-term equal employment opportunity the commitment must be made by the directors of the organization.

Effective affirmative action is not simply an issue that is dealt with in a month or a year or with a single silver bullet. Unfortunately, it is often practiced as a series of iterations, or reactions, in response to external pressures.

One of the first employer reactions stems from fear, a fear of EEO complaints and/or litigation. . . . The general result is to bring together a group of top level managers to come up with a plan to protect the company from the lions at the gate. At that point in the development of affirmative action there is symbolic hiring, primarily symbolic hiring of African American candidates. Not in large numbers, and not into key positions, but some hiring to at least make a showing or establish an argument that the company or the entity is in support of affirmative action and has evidence to prove it.

When the immediate crisis is over, the second general step is to hire an affirmative action officer, usually an individual who is known in the community and who reflects the largest minority population in the com-

munity. . . . He or she is generally very adept at public relations and public speaking, and is generally very adept at balancing the pressures of management versus the community. Unfortunately there is little investment at that point in time in terms of support staff or the management systems necessary to allow for affirmative action to really succeed.

Following that, there is generally a requirement to develop a document, almost always called an affirmative action plan.

This evolutionary process may last anywhere from 3 to 10 years, dependent upon the pressure from the community, the pressure from the employees who were hired to seed the ground for the affirmative action program. . . . Progress is made only when the commitment to affirmative action moves away from the human resources department and the affirmative action officers to the boardroom and cascades down to senior management and supervisors to take responsibility relative to affirmative action progress.

But practicing equal employment opportunity costs money. When management becomes serious about affirmative action, they invest money in it. And when they invest money in it, they dedicate funding to do targeted recruiting and develop representative applicant pools, that is the key.

At Wright-Patterson, when we recruit we devote a considerable amount of money to sending teams, not just of our personnel staff, but also of our senior managers all the way up to general officer equivalents, to historically minority universities and other areas where there is a potential minority applicant pool. That costs money, it costs time, and it takes commitment.

The next step in a mature affirmative employment program focuses on training and community outreach. There are definitive cultural differences between whites and African Americans and Hispanics and Native Americans. Every manager and first-line supervisor and indeed every employee should have at least a snapshot of those differences to appreciate where people are coming from when they feel as

though they have been aggrieved, when they feel as though they have not been treated fairly, and when they feel as though they have been slighted by a comment.

At Wright-Patterson we are not perfect, we know that we have challenges, but we are not ashamed of what we've done in the past. We have a solid representation in our work force of both African Americans and individuals of Hispanic origin, we track that data regularly, particularly in the professional and the administrative career areas. But at the same time we do have pockets of resistance.¹

Montgomery County

Leon Walker, personnel director of Montgomery County, spoke to the Advisory Committee about the Board of County Commissioners and the employment practices in its seven departments: Human Services, Sanitary, Engineering, Public Works, Administrative Services of the Office of Management and Budget, the Stillwater Center, and Community and Economic Development.

In the seven departments under the Montgomery County Board of Commissioners there are 1,400 employees and more than 200 titled positions ranging from laborer to county administrator. Wages are compatible with market standards, and educational requirements for the various positions range from high school diploma to graduate degrees.

In the late 1970s the county commissioners directed staff to analyze all Board of Commission jobs to accurately ascertain skill and educational requirements to perform the functions of each position. The board also directed the departments to remove any and all unnecessary qualifications and artificial barriers and to develop and implement monitoring mechanisms throughout the hiring process to ensure that every single applicant received fair and equitable consideration for employment.

This process begins by the personnel department distributing job announcements in more than seven locations in the Dayton area and to every elected official and department within the county structure. Positions that may be available at any given time include management positions such as operations manager, architects, income maintenance administrators, service center director, risk managers, animal shelter di-

¹ Testimony of Michael O'Hara before the Ohio Advisory Committee to the U.S. Commission on Civil Rights, fact-finding meeting, June 11, 1998, Dayton, OH, transcript, pp. 51-68 (hereafter cited as Transcript).

rectors, water superintendents, property managers, directors of nursing, benefits managers, human service directors, environmental lab managers, and engineers on several levels.

Some of the professional positions in the county include accountant, customer relations, information manager, chemist, infection control coordinator, planner, human resource consultant, budget analyst, employee benefits specialist, management analyst, nurse supervisor, social worker, registered nurse, and safety worker.

Employment opportunities in Montgomery County are augmented by organizational development, training programs, and tuition reimbursement programs for use by employees wishing to prepare for promotional advancement. All employees have the opportunity to develop themselves in traditional, as well as nontraditional positions, and we are pleased that our job placement reflects that diversity. Board of County Commissioner employees receive first consideration for all promotional opportunities. Qualifications are competitive, and the employee may be promoted, appointed, or proceed through the selection process.

We are not perfect in our attempt to remove all barriers and attitudes [affecting equal employment opportunity]. But employees who feel the need may address their concerns through a grievance procedure and/or file charges with external resources, and these avenues are stressed to all employees. However, we have had more success settling with parties who feel damaged and trying to negotiate or mediate the problems and work them out, and we have had much success and prevented any number of formal complaints by that process.²

City of Dayton

Thomas A. Payne, director of human resources for the city of Dayton, discussed the organization and management structure of the city and the efforts and challenges to the city to recruit and employ a diverse work force.

In the city of Dayton there are 16 departments that report to the city manager, and the city has a city manager form of government. However, the city manager form is unusual in Dayton in that employment functions are divided between human resources, which reports to the city manager, and the civil service board, which reports directly to the city commissioner. About 90 percent of the employment and hiring is done by civil service; human resources handles about 10 percent of the employment.

² Testimony of Leon Walker, Transcript, pp. 69-77.

Currently the city employs just under 2,800 regular employees. Most of those employees work in the service and maintenance areas and in the skilled crafts area.

In the officials and administrators category, 32 percent of the work force is minority and 24 percent female. Within the professional and technical category we have 464 employees; 42 percent are minority and 32 percent are female. That doesn't mean that we feel as though we are satisfied. We have a lot of work to do, especially in the public service area. We have had a plan that we have been working on for a number of years, and the city continues to look at those numbers and seek to diversify the entire work force.

Currently there are a lot of different attitudes and ideas about the implementation of employment practices that promote equal opportunity yet are fair in an organization such as ours where 2,000 of our 3,000 employees are represented by organized labor. The unions have very strong allegiance to the current civil service system, and it will be interesting to see how these changes are discussed and debated in the future.

Overall, the city of Dayton is very much interested in making certain that the city organization as a whole reflects the diversity of the community that we work in and for and serve.

The predictions, which were set out in the Hudson Institute Work Place Year 2000 study, that employers would be in competition for people has come true. The city finds itself very much in competition for individuals who have the skills necessary. Moreover, as we move into the next century, the dynamics of the workplace and the skill needs are changing more quickly in the workplace than educational institutions can keep pace with, and that is an added challenge for employers.³

Private Employer Testimony

Private employers provided testimony at the factfinding meeting about equal employment opportunity and the personnel practices of their individual firms. Excluding companies in Montgomery County that are engaged in retail businesses, health care, or the provision of education and training, 18 firms employ more than 1,000 workers. Listed by number of employees, they are General Motors, Airborne Express, NAVISTAR, Mead Corporation, AK Steel, NCR Corporation, Copeland, Emery Worldwide Services, Lexis-Nexis, Bank One-Dayton, Reynolds +

Reynolds, Dayton Power and Light, Dayton Thermal Products, ALCOA, Monarch Marking Systems, Hobart Brothers, Cox-Ohio Publishing, National City Bank, Allied Signal, and Standard Register (see table 3.1).

All 18 firms listed above were invited by the Advisory Committee to testify at the factfinding meeting. Four companies sent representatives: NCR Corporation, Monarch Marking Systems, Bank One-Dayton, and Standard Register.⁴

NCR Corporation

Mark Kingseed, head of labor relations at NCR, spoke about recruitment efforts by NCR, constraints on the company's ability to do more in equal employment opportunity, and the company's commitment to being an equal opportunity employer.

NCR was one of the major employers in Montgomery County, a very successful company through the 1970s. In 1990 and 1991 the company had some very difficult times and struggled to be profitable. Since 1991 NCR has lost about 20,000 jobs, half of those in the United States and half of those overseas. So the hiring that NCR has been able to do in recent years has been small and targeted to particular job categories.

From the standpoint of the numbers and percentages of minorities working at the company, NCR is not satisfied with the status quo and we know we have work to do. But we simply have not been able to do so because of economic conditions over the last 7 or 8 years.

The company has decided in the last year to focus most of its recruitment efforts on the college campus, as opposed to bringing in experienced hires. . . . The company's thrust in the future is to develop a much better relationship on the college campus as the use of college is the key recruiting source for the types of positions that we need, which are primarily computer engineering, finance and administration, engineering and some of the more highly technical skills.

Along these lines NCR develops what we call Tier 1 colleges. A Tier 1 college is a school that has a number of students who major in these areas. We try and develop a very close working relationship with these schools.

⁴ Appearance before a State Advisory Committee to the U.S. Commission on Civil Rights is voluntary. Although representatives from General Motors could not appear at the factfinding meeting on the date scheduled, company officials did meet and speak with the chair of the Ohio Advisory Committee.

³ Testimony of Thomas A. Payne, Transcript, pp. 78-89.

One of the criteria we use when determining Tier 1 schools is the minority population of the students who are there, including historically black colleges and . . . [Hispanic-serving] colleges and universities. Because NCR wants to make sure it is reaching out to a diverse base of students and potential applicants for the company.

We are starting fresh again because quite honestly over the prior years our college recruiting efforts withered away in the mid-1990s. So NCR is again making a sustained effort to get into the schools and attract as wide a group of students as we can. Frankly, we shoot to make sure that we have a higher percentage of diverse applicants than the availability shows.

In addition to Tier 1 schools, NCR also targets local colleges and universities which in some respects may not have the same broad range technical skills or the number of students with the technical skills we want. These [institutions] would have the numbers of students who are available with the skills set that we can get them on board.

NCR also participates in diversity focused annual conventions and career fairs. An example of what NCR participated in the last 12 months are the career fairs for the National Society of Black Engineers, the Society of Hispanic Professional Engineers, National Black MBA Association, and National Association of Black Accountants. NCR also recruits heavily in diversity targeted publications. For instance, the *National Society of Black Engineers Magazine* and *Hispanic Network Magazine*.

One other thing NCR tries hard to do is retain the minority employees that we do have. Again as you might suspect with things being less than secure one could say at the company there is always a danger of attrition. One effort along these lines is called Business Resource Group. The business resource groups, or BRGs, are organizations within the company sponsored by the company [and] have leadership team mentors, which are focused on minority employees. We have found the BRGs to be a very effective mechanism to make sure that the employees have a voice, that they've got an opportunity to be heard and that they understand the company in an organized and structured way values what they have to say about the various issues that come up.⁵

Monarch Marking Systems

Rhonda Mangieri, vice president of human resources at Monarch Marking Systems, made four points before the Advisory Committee.

First, she discussed the efforts made by Monarch Marking Systems to achieve diversity in its work force. Second, for equal employment opportunity to succeed, she said there has to be a commitment from the top management—a commitment that the leadership of Monarch has. Third, she talked about the disconnect between the skills needed for available jobs and the skills being taught in the schools. Finally, she commented on possible reasons for the differences in the levels of minority employment between private and public employers.

Monarch Marking Systems, a company that manufactures labels, tickets, tags, table top printers, and labeling guns used to ticket and tag items, has moved from a more technical-oriented company to a company that is more of a service provider.

Monarch has a high level of diversity throughout its organization. Our minority level at the executive level is 5.5 percent, in mid-level management it is 3.7 percent, and among first-line managers it is 9.1 percent. In the professional engineering and chemical occupations 2 percent are minorities, and 8.4 percent of other professionals are minorities. Thirteen percent of the sales representatives are minorities.

To ensure a diverse work force Monarch participates in a number of programs around the Miami Valley so that we have a network into these organizations. Monarch takes a more hands-on personal approach; we do not believe the traditional approach of using job ads is as effective as getting out into the community.

Monarch also promotes from within. Our first recruitment effort is within, which is why the company focuses on the development of its people within the organization so that the skills needed 3 and 4 years in the future will be there.

In my experiences, I observe a diminishing effort in this country by the education system to prepare people for the jobs that we have remaining in this country. Monarch Marking Systems has responded to this and has spent a lot of resources educating its current work force. So as people come into Monarch with limited skills needed in the work force, what we have done as an employer is to provide additional educational opportunities and job training.

As to equal employment opportunity, there has to be a commitment by the executive level group. That is an area that I can speak with confidence about Monarch. My boss asks for numbers and that presentation was given to the executive staff, and there was a definite indication in that message sent that we need to

⁵ Testimony of Mark Kingseed, Transcript, pp. 92–108.

broaden our representation to reflect the population that exists in our nation.

Concerning observed differences in minority employment between private and public employers, it may be the result of underlying human dynamics. Among minorities there often is more of a sense of community first, whereas in the business world people come into a business and I think their career is there but one's personal associations are typically outside of that business network. In public organizations, I observe more community bonding relationships that are formed there. So it is a lot easier to walk away from a job or get recruited from a company in the private sector versus leaving a job in the public sector where one also has personal relationships.⁶

Bank One-Dayton

Two representatives from Bank One-Dayton testified. Donna Willis is the employee relations consultant for Bank One and has responsibility for the company's affirmative action plan as well as the employee relations functions related to diversity. Carol Foltz manages employment for Bank One in southwest Ohio. Carol Foltz talked about the diversity of the bank and its external efforts to ensure equal employment opportunity.

I think Bank One does very well in terms of its diversity. In the professional and managerial categories, 17 percent of the bank's work force are minorities. There is a lot of turnover and growth in the banking industry and that allows for a lot of hiring opportunity. The bank hires between 800 and 1,200 employees a year in the Dayton market.

Over the years the management of the bank has really felt diversity was important and supported it and would even keep requisitions open until we found diverse candidates. It takes that kind of management support to make a difference and change the way things are.

The bank, as you would expect, has large numbers of clerical people who have entered the organization. One of the employment goals developed over the years has been a determination to develop individuals into entry level supervisors. So many of our internal training programs are devised to help people develop some of those skills.

Although our outreach has been on all levels, it seems increasingly challenging to find women and minorities in some of the job categories that we look for among the professional ranks. Some of the things we

have been most successful in doing is really networking. Also having minority recruiters helps a great deal. The bank has done college programs, but as our company has gone to a more national approach there is not as much college recruiting at the local level.⁷

Donna Willis addressed some specific internal initiatives by the bank to ensure equal employment opportunity. She made a special note of the strong support from the bank's senior management for diversity and equal employment opportunity issues.

Bank One has had the good fortune to have senior management support the whole issue of diversity and affirmative action. The bank formed a task force 8 to 10 years ago to specifically deal with not only recruitment, but beyond that how the bank could retain the people it recruited. Out of that effort developed some recommendations.

One of those developments was the creation of a support networking group for minorities in professional positions. The bank learned that even if it was successful in hiring minority employees, without a support group for people to talk and share experiences and so forth they might decide to go somewhere else that looked a little more attractive. And that group remains very active.

Another recommendation to senior management was an integrated approach to diversity. The recommendation was adopted and began in full force in 1994. As part of the effort there are awareness type programs, mentoring and sponsorship programs, and holding managers accountable for affirmative action within their work units. Regarding the later, the bank has sent the message internally that diversity is a performance issue for managers and all employees.⁸

Standard Register

John Scarpelli, personnel director of the Standard Register Company, talked about the company, its jobs, career opportunities for minorities, and about the issue of equal employment opportunity in general.

Standard Register is a company that has its headquarters in Dayton Ohio, and underwent a major acquisition in January 1998. Nationally the company employs about 9,400 employees. In Dayton there are approximately 900 employees between the headquarters and the local manufacturing operations. The

⁶ Testimony of Rhonda Mangieri, Transcript, pp. 120-35.

⁷ Testimony of Carol Foltz, Transcript, pp. 136-42.

⁸ Testimony of Donna Willis, Transcript, pp. 137-45.

company produces business forms as well as a host of other products found in offices. In addition, Standard does plastic cards and provides direct mail services such as creating documents, printing brochures, distributing mail and annual reports.

Standard has been around for 75 years, and in the last few years the company has begun to change some of the things that it does from an internal human resource development point of view, which I think impacts the equal employment opportunity situation.

Traditionally, most of our management, supervisory, and leadership positions come by promotion and development from within. Now we are beginning to change that, specifically as we grow some of these new businesses. We now have print centers around the country. This is one of the fastest growing businesses we have, so we are hiring more from the outside where even 5 years ago we did not recruit management or supervisory employees from the outside; it was all internal.

In appointing managers, leaders, supervisors, and officials, our biggest challenge, like that faced by other employers, is one of ensuring that opportunities are provided and, as importantly, mentoring opportunities are there also for all employees. The company has come to realize that the both informal and formal mentoring is a very, very important part of what is necessary to be done to ensure that there's a growth in opportunity.

Another new area the company is beginning to enter is in the area of internships as a development tool to try and give individuals some additional insight into what a business operation is about. I think we, as other employers in our category, have some distance to go in terms of diversity. And I think that the natural systems that we use in human resources do not result in the kind of results that we need. So we need to look at different ways and new ways to develop and identify individuals to move forward in the organization.⁹

⁹ Testimony of John Scarpelli, Transcript, pp. 152-55.

Chapter 5

Findings and Recommendations

Findings

In the past 30 years the Ohio Advisory Committee has undertaken a number of studies on race-related issues in different parts of the State. Studies have focused on housing, employment, hate crime, and police-community relations. This is the first study by the Ohio Advisory Committee that focuses on the city of Dayton and Montgomery County.

The Ohio Advisory Committee comes to the Dayton area to examine equal employment opportunity issues. In the experience of the Advisory Committee, the greater Dayton area is unlikely to be much better or worse than most other cities, villages, and townships in the State regarding equal employment opportunity. The particular degree of equal employment opportunity for minorities in the greater Dayton area might vary from that of other Ohio communities, but the essential issues concerning race and employment opportunity in the city of Dayton and Montgomery County are probably typical in most respects.

The purpose of this study on "Employment Opportunities for Minorities in Montgomery County, Ohio" is to compare the employment practices of large public and private employers in order to discern the existence of patterns and practices tending to exclude minorities from higher paying jobs. The study was limited to an examination of employers with an employment of at least 1,000 individuals in Montgomery County, Ohio, and to managerial and professional positions, because these are typically the highest paying and most prestigious employment positions.

The practice of nondiscrimination is only one aspect of equal employment opportunity. For equal employment opportunity includes not only the practice of nondiscrimination in employment decisions, but also the deliberate and proactive effort by employers to ensure that qualified mi-

norities, women, and people with disabilities are identified and offered opportunities to apply and compete for available employment at all levels of the organization. Such deliberate and proactive efforts are usually set out in an affirmative action plan. The Civil Rights Act of 1964 only prohibits acts of employment discrimination, whereas firms with Federal contracts are also required to undertake affirmative action under Executive Order 11246.

The specific design of this study first determined a difference in minority employment within the managerial, administrative, and professional positions between private employers and public employers in Montgomery County, Ohio. The study then attempted to determine existent barriers to upper level minority employment in the private sector.

1. Racial Attitudes in Montgomery County, Ohio¹

Finding 1.1. Whites and African Americans are the two dominant racial/ethnic groups in Montgomery County, Ohio. The two groups compose more than 98 percent of the county's population. The census count of Montgomery County is 573,809. The white population is 463,991 (81 percent), and the African American population is 101,750 (18 percent).

The African American population is generally segregated from the white population and concentrated within the city limits of Dayton. Within the city limits, African Americans are concentrated in the city's west and northwest districts. The population of Montgomery County outside the city of Dayton is virtually all white.

¹ Findings in this part are from information in chap. 2 of the study.

Finding 1.2. The perception of the quality of race relations is diminishing in Montgomery County. In 1979 the *Dayton Daily News* surveyed residents on the importance and quality of race relations in the 6-county Miami Valley area. Most whites, 53 percent, responded that race relations were either "excellent" or "good." In contrast, only 39 percent of minorities thought race relations in the area were either "excellent" or "good."

The survey was repeated 10 years later in 1989. The responses in 1989 revealed a decline among both groups in the perception of the quality of race relations in the area. Among whites, 39 percent reported that race relations were either "excellent" or "good," a decrease from 53 percent reported 10 years earlier. Thirty-six percent of minorities thought race relations were either "excellent" or "good," a decline of 3 percentage points from 10 years earlier.

Finding 1.3. The perception of equal employment opportunity differs between whites and African Americans in Montgomery County. In 1994 and again in 1996, the National Conference for Community and Justice of the Dayton area conducted a survey regarding racial attitudes in Montgomery County, Ohio. The survey revealed a substantial gap between African American and white perceptions regarding equal employment opportunity in access to skilled jobs and opportunities for promotion and advancement.

Most whites do not perceive that American society provides them with better employment opportunities than it does to African Americans. With regard to access to skilled labor jobs, 71 percent of whites believe African Americans have equal opportunity to such jobs. In terms of equal opportunity for promotion into managerial jobs, 62 percent of whites believe African Americans have the same opportunity as whites.

In contrast, only 39 percent of African Americans hold that they have the same opportunity for skilled labor jobs as whites. In addition, only 27 percent of African Americans believe equal opportunity exists for minorities in terms of promotion into managerial jobs.

2. Racial Differences in Employment in Montgomery County, Ohio²

Finding 2.1. In Montgomery County, African Americans suffer from a much higher rate of unemployment than whites and have a lower labor force participation rate. The unemployment rate of African Americans is more than twice that of whites. The unemployment rate for African Americans in Montgomery County is 13.1 percent, while the unemployment rate for whites in the county is 4.6 percent.

Similarly, African Americans are employed and/or seeking employment, i.e., participating in the labor force, at a much lower rate than whites in Montgomery County. Whites have a labor force participation rate of 65.9 percent. In contrast, the labor force participation rate for African Americans is 55.5 percent.

Finding 2.2. In the Montgomery County labor force, African Americans are statistically underrepresented in the top two EEO-1 categories, officials/managers and professionals, given their percentage of the labor force. The officials and managers EEO-1 category includes administrators and managers who exercise overall responsibility for the execution of policies and direct individual departments or special phases of a firm's operations. EEO-1 category professional jobs are occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background.

African Americans are 10.8 percent of all individuals in executive, official, managerial, and/or administrator jobs and 11 percent of all individuals able to perform professional jobs. Analysis of the data shows both rates to be significantly lower than expected given their proportion of the labor force.

Finding 2.3. Among private employers in Montgomery County, African Americans are employed as officials and managers at a rate of 6.3 percent—a utilization rate more than 4 percentage points lower than their availability for such positions. Similarly, with respect to the professional positions, African Americans are 11 percent of all professionals in the Montgomery County labor force, but are

² Findings in this part are from information in chap. 3 of the study.

just 5.7 percent of the professional work force positions among private employers.

Finding 2.4. Among public employers in Montgomery County, African Americans are employed as officials and managers at a rate exceeding their availability for such positions. The availability rate of African Americans qualified for officials and managers positions is 10.8 percent. At Wright-Patterson Air Force Base, African Americans are 13.1 percent of all officials and managers; in Montgomery County, African Americans are 29.4 percent of officials and managers; and in the city of Dayton, African Americans are 27.4 percent of officials and managers.

Finding 2.5. There is a significant difference between public employers and private employers in utilizing African Americans in officer and managerial positions. Statistical analysis demonstrates that African Americans have a significantly greater likelihood of advancing to higher administrative and management positions in the public sector than they do in the private sector.

Finding 2.6. the commitment to equal employment opportunity among private employers appears to be firm specific, rather than dependent upon the types of jobs at the firm. Data analysis shows a wide variance among individual firms in the rate of employment of African Americans in the higher occupational job categories.

One firm included in the study employs African Americans in officials and managers positions at a rate of 13.9 percent. This is a utilization rate on par with the area's public employers and exceeds the area availability rate of 10.8 percent for African Americans. The same firm displays a similar practice in employing African Americans in professional positions, employing them at a rate of 17.1 percent.

In contrast to this firm, 6 of the 14 firms (43 percent) examined in the study employ African Americans at a rate of less than 3 percent in officials and managers jobs.

Finding 2.7. A substantial disparity in college enrollment persists between whites and African Americans. In 1990, 38 percent of all white high school graduates between the ages of 18 and 24 were enrolled in college. The enrollment rate of African Americans in this age group was 28 percent.

Presuming a similar distribution of talents and abilities between African Americans and whites, the lower college enrollment rates of African Americans suggest a divergence in expectational rewards for additional education between whites and African Americans. That is, despite accepting that there are differences in opportunity between the two groups to attend college, African Americans are nevertheless to some degree demonstrating by their actions that they believe there is a lower likelihood of being rewarded for additional education and training than is the case for whites.

3. Employer Efforts to Effect Equal Employment Opportunity in Montgomery County, Ohio³

Finding 3.1. A number of the private employers in Montgomery County are engaging in efforts to promote equal employment opportunity. Four of the area's 18 largest employers sent representatives to speak at the public factfinding meeting: NCR Corporation, Monarch Marking Systems, Bank One-Dayton, and Standard Register. Representatives from these firms listed a number of initiatives specifically designed to recruit and retain minorities. These initiatives included intern opportunities, outreach to minority communities, mentoring programs, recruitment at predominantly minority schools and colleges, and career fairs.

Finding 3.2. Equal employment opportunity for minorities becomes a reality within an organization when the leadership of the firm actively supports and promotes diversity as a company priority. A commitment to equal employment opportunity from the executive level is essential. Employer leadership that demands equal employment opportunity progress makes a critical difference in fostering successful equal employment opportunity at the individual firm.

Finding 3.3. For equal employment opportunity to be effective with regard to all racial and ethnic groups, the corporate culture of the firm must be comfortable for minority employees. Employers can fulfill their initial commitments to equal employment opportunity by hiring minorities, but such efforts

³ Findings in this part are from information in chap. 4 of the study.

may not manifest long-term equal employment opportunity. If well-trained, well-educated minority employees do not feel part of the business culture, they may be inclined to leave the company.

Finding 3.4. Affirmative action programs in the employment sector, particularly as enforced on Federal contractors by the U.S. Department of Labor under Executive Order 11246, consist of activities to identify, recruit, promote, and/or retain qualified minorities. They are forms of deliberate outreach to formerly excluded segments of society, and not programs of preferences or quotas. The premise of affirmative action is that simply removing existing impediments is not sufficient for changing the relative positions of women, people of color, and individuals with a disability.

Recommendations

The Fundamental Problem

Forty years ago, the practice of racial discrimination in employment was overt and legal. Moreover, such discriminatory practices and policies were accepted by the general public. Such flagrant racist behavior is no longer acceptable to the vast majority of people, white or people of color, living and working in Montgomery County and in other parts of the State.

This is a positive development, but this does not mean that racial bigotry is a thing of the past, or that equal opportunity in employment has become the norm. On the contrary, after 30 years of legislated and funded equal employment opportunity measures and government-enforced affirmative action programs, significant disparities in employment along racial lines continue to persist in the Montgomery County area.

Acknowledging that (1) members of racial and ethnic minority groups are not inherently inferior to members of the white majority, (2) that racial and ethnic minorities have been able to advance into managerial positions with public employers in proportion to their representation in the general population, and (3) there are Federal, State, and local prohibitions against discrimination, the most plausible explanation for the persistence of employment disparities along color lines is:

Pervasive societal barriers remain in place, which preclude equal employment opportunity for minorities.

Denial of the Problem

The removal of the overt vestiges of discrimination has been considered by many in the white community to be a signal that racial discrimination has ended. As a result, in the Montgomery County area, as well as in other communities throughout Ohio, there is a strong sense of denial about racial and ethnic discrimination.

Many white people—by far the dominant racial group—have become unaware of and indifferent about the presence of racial and ethnic prejudice. The lack of consciousness about racial and ethnic prejudice allows individuals to honestly maintain a support for a just and equal opportunity society, without having to accept personal responsibility for racial disparities in employment or working toward a resolution of such disparities.

Despite obvious and substantial disparities between the two races in job classifications and income, two out of three whites in Montgomery County hold that African Americans receive equal employment opportunity regarding promotions. In sharp contrast, only one in four African Americans, the group of people who live with the reality of color discrimination on a daily basis, believe equal opportunity exists for minorities in terms of advancement into management positions.

The real significant difference between employment opportunities for people of color today from that of 30 years ago is that today the "colored" signs hang out of sight, mired in the unconscious, but still influence in a negative way the majority culture's dealings with color. Moreover, with the "colored" signs out of sight, many go to great lengths to ensure there is no personal examination of the existence of prejudice in their own minds. Hence, there is little open, honest, and meaningful dialogue on this subject by whites. When the topic of racism comes up, some whites avoid the discussion and refuse to critically examine their own internal belief system or the behavior of their organizations.

As a consequence, many white individuals routinely deny any personal culpability for the racial and ethnic disparities that exist. Commu-

nity leadership, be it political, corporate, educational, or religious, relegates the issue to the bottom of the agenda. As long as individuals are unwilling to acknowledge their role in racial and ethnic injustice, and institutions are unwilling to make racial and ethnic justice a priority, there is little chance that the unfairness along racial lines in this society will be resolved.

Social Consequences

The consequences of such denial concerning race relations and equal opportunity are manifested in several observable ways in Montgomery County. One consequence is the partition of the community into two separate groups, between which there is little social interaction. In Montgomery County, the African American and white communities exist as virtually separate communities with little intergroup dialogue.

Separated from the white community, African Americans find themselves relegated to the less desirable jobs. Since there are no visibly hanging "whites only" signs and limited dialogue about the persistence of unequal employment opportunities, there are few avenues to determine and address the fundamental prejudices causing the inequities.

Ignoring the issue of racial barriers to equal employment opportunity, however, does not mute the consequences for the greater community. Individuals who do not believe in the essential fairness of an economic system have limited incentive both to abide by established social rules and to improve themselves through additional education into more productive persons. To the extent that the disenfranchised fail to update skills and invest in further education, the collective productive capacity and general prosperity diminishes. The result is a less affluent and more impoverished community and increased expenditures on social welfare.

Phillip L. Parker, president of the Dayton Area Chamber of Commerce, spoke at length to the Advisory Committee on the issue of race relations and the importance of equal employment opportunity in the Montgomery County area. Other chambers of commerce have embarked on programs with their members to promote diversity in management and better and more fair opportunities for individuals from minority groups.

Providing equal employment opportunity and diversity in the workplace involves understanding the differences in cultures and being open to these differences. Diversity can become an asset, because it allows people with different backgrounds to approach problems from different perspectives. In the end, diversity makes organizations and businesses stronger and more competitive.

Responsibility and Recommendation for Action

Equal employment opportunity at all levels and in all organizations does not happen unless there is a commitment to real equal employment opportunity from the leadership of the organization. Where such a commitment exists, minorities experience success in competing for and obtaining administrative and managerial positions. The minority community is thereby empowered to invest in individual skill acquisition and productive assets.

The commitment to equal employment opportunity for individuals who are members of minority racial and ethnic groups is long overdue. The Ohio Advisory Committee asserts:

1. It is time for the private employers of Montgomery County to make a real commitment to providing demonstrable equal employment opportunity for all area residents.
2. It is time for the private employers of Montgomery County to become intolerant of racial intolerance and intolerant of the systemic underrepresentation in higher employment categories that persists along racial lines.
3. It is time for the private employers of Montgomery County to examine why minorities succeed and receive promotions to management positions in the public sector, while languishing in the lower paying job classifications in the private sector.
4. It is time for the private employers of Montgomery County to seek an explanation for why three out of four African Americans do not believe promotional opportunities are fair.
5. It is time for the private employers of Montgomery County and for the community as a whole to become interested in learning why a disproportionate number of African Americans do believe that education will not necessarily create better employment opportunities.

6. It is time for the private employers of Montgomery County to examine their reluctance to come forward and publicly discuss the issue of race relations and equal employment opportunity with the U.S. Commission on Civil Rights and other community organizations addressing the problems of racial injustice.

7. It is time for the private employers of Montgomery County to resolve to make a meaningful contribution to the effort of the Dayton Area Chamber of Commerce in making equal employment opportunity and diversity a priority in Montgomery County.

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