

## **Equal Employment Opportunity & Affirmative Action (1964-90)**

Title VII of the Civil Rights Act of 1964 protects employees from discrimination. The law was the first federal law designed to protect most US employees from employment discrimination based upon that employee's (or applicant's) race, color, religion, sex, or national origin. Employment discrimination entails areas such as firing, hiring, promotions, transfer or wage practices and it is also illegal to discriminate in advertising, referral of job applicants, or classification. The Title is pertinent in companies affecting commerce that have fifteen or more employees. The Equal Employment Opportunity Commission (EEOC) is section 705 of the title.

Equal employment opportunity was further enhanced when President Lyndon B. Johnson signed Executive Order 11246 on September 24, 1965, created to prohibit federal contractors from discriminating against employees on the basis of race, sex, creed, religion, color, or national origin.

Affirmative action laws are policies instituted by the government to help level the playing field for those historically disadvantaged due to factors such as race, color, religion, sex, or national origin. These laws typically pertain to equal opportunities in employment, education, and business.

In the United States, affirmative action was first created by Executive Order 10925, signed by President John F. Kennedy in 1961. It required that government employers "not discriminate against any employee or applicant for employment because of race, creed, color, or national origin." It also required that government employees "take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin."

President Johnson extended affirmative action in 1965, affirming the federal Government's commitment to promote equal employment opportunities. Affirmative action was extended to women by Executive Order 11375 in 1967, by adding the class of "sex" to the list of protected categories. Other sources of affirmative action law include the nondiscrimination mandates of the Civil Rights Act, Age Discrimination in Employment (1972), the Americans with Disabilities Act (1990), and other laws protecting groups like veterans.

The executive order also required contractors to implement affirmative action plans to increase the participation of minorities and women in the workplace. Pursuant to federal regulations, affirmative action plans must consist of an equal opportunity policy statement, an analysis of the current work force, identification of problem areas, the establishment of goals and timetables for increasing employment opportunities, specific, pro-active programs to identify potential advertising efforts and recruitment of previously discriminated employee candidates, support for community action programs, and the establishment of an internal audit and reporting system. Affirmative Action did not require lowering job qualification standards.

My first chance to work for equal job opportunity and to use affirmative action to achieve that was in 1969 and 1970 when I worked as an assistant to the village manager in a south suburb of Chicago. Part of my duties was to serve as the HR Director. In that role, and with the support of the elected officials, top administrators in the Village, and a newly created Community and Human Relations citizens' advisory commission, I started looking into how we could begin to attract racial minorities and women to apply for and be considered for appointment to our Police and Fire Departments as well as our Public Works and Utilities Departments.

Since we had a growing black population in our community, and we were neighbors to other racially diverse communities, we decided that we would pro-actively market our job opportunities to blacks and women. We identified newspapers and community organizations within the neighboring communities which could help us promote job opportunities in our community. We were able to attract a more diverse applicant pool. And eventually we were able to broaden the diversity of our workforce to be more reflective of our population.