

Public Interest Law Center of Philadelphia

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Securing Jobs for Minority Workers

In 1968, the President of U.S. Steel joined other business leaders to condemn racism and announce a program to hire hard-core unemployed minority workers. In 1974, the Company while denying any discriminatory practices entered into a Consent Decree with the federal government that it would make minorities 25% of all workers promoted to foreman and 50% of all apprentices. Nevertheless, in Bucks County, at the giant Fairless Works, during the next six years minorities were only 7% of the foremen promoted, and only 9% of the apprentices. It was this hypocrisy and indifference on the part of U.S. Steel which caused black employees to seek legal assistance from the Law Center.

*Dickerson v.
U.S. Steel*

The first case to go to trial, *Dickerson v. U.S. Steel*, led to a finding by the federal district court in 1978 that U.S. Steel had engaged in discriminatory practices in promotions to apprentice and foreman positions. It took another 4 years before the company finally settled, paying \$2.1 million to 497 workers, and agreeing that a number of other minority workers were qualified for promotions.

The Public Interest Law Center was founded in 1974 in the awareness of a paradox. Civil rights legislation was righting wrongs done to blacks and other racial minorities in the polling places, in access to public facilities, at work, in housing and education. Yet those who now had an opportunity to be freed of the shackles of discrimination did not find that change came automatically . . . and for the few who were brave enough to step forward, demand justice, and insist on enforcement of the law, expert assistance was a necessity.

Civil Rights
legislation only
the first step

The Law Center's predecessor organization, the Philadelphia Chapter of the Lawyers Committee for Civil Rights Under Law, had designed an Employment Referral Project in the early 1970's. With a grant from the Federal Equal Employment Opportunity Commission, Executive Director Ned Wolf screened possible employment discrimination cases, and trained lawyers from private law firms to handle the cases. The program was praised by the EEOC as one of the best of its kind.

Training lawyers
for Title VII
cases

The Law Center in 1974 began to concentrate on public employment problems, in order to impact on discrimination against both minorities and women. Three public employment cases have required extensive Law Center work: *Taylor v. U.S. Department of Labor*; the struggle of the Guardian Civic League to win fairer policies in the Police Department; and two cases involving discrimination against women police officers.

Early Law Center
employment
work

In the *Taylor* case, PILCOP represents a class of black construction workers including Ronald Taylor who have had difficulty getting jobs with contractors on federal projects. The case has shown that federal contractors were meeting only 60% of their goals, that 85% of the contractors reviewed by the Department of Labor have not made good faith efforts to meet those goals and that the Department of Labor has not sought sanctions against a contractor since 1974. The District Court found that despite the Philadelphia Plan workers are still being excluded from construction work because of union-based discrimination.

Federal subsidy
of discrimination
in the construction
trades

Stanley R. Wolfe
Chairman of the Board

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Vice-Chairman

Lane Taylor, Jr.
Vice-Chairman

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Staff Attorneys

David G. Davis
Administrative
officer

Peter Stevens
Newsletter Editor

1315 Walnut Street
Philadelphia
Pennsylvania 19107
(215) 735-7200

In 1979 the Guardian Civic League asked the Law Center to help it to win fairer testing and promotion systems in the Philadelphia Police Department. In 1973 a federal judge had found that the City was unlawfully discriminating against blacks, but there had been no remedy in the ensuing 9 years. The Law Center's studies revealed that in 1982 with 45% of the city's population black and Hispanic, only 16% of the police force represented those minorities. In February 1982, Mayor Green formed a Task Force on Police Hiring, and the Law Center's staff testified that there were already sufficient qualified minorities who had passed the police entrance exams to allow the police force to be fully representative of the minority community. Last August an agreement was reached, finally providing for restoration of the places lost and an end to many discriminatory practices. The Law Center played a key role in negotiations with the City's representatives to win a fairer system. Assistance has also been given to Hispanic police officers in their pending suit against the Police Department for discriminatory entrance tests.

Reforming
Police Department
discriminatory
practices

After several years of negotiation and litigation by the Law Center in the *Brace* case, women have been fully accepted as police officers since 1980. They now constitute 6% of the police force. The Law Center was the only organization having the experience and willingness to support the claims of women officers that they were unfairly discriminated against in the 1980 layoffs by the Police Department. This position was vindicated in the City's final settlement of the case.

Assisting
women police
officers

In another type of employment effort, the Law Center played a key role in winning passage of the Philadelphia Set Aside Ordinance in 1982. Councilman Lucian Blackwell introduced a bill which would ensure that minority- and female-owned businesses receive a fair proportion of the City's procurement business. When Mayor Green vetoed the bill, University of Pennsylvania Law School Professor Ralph Smith, working as part of the Law Center, entered into negotiations to secure a revised ordinance, and helped to write the first City Council committee report in its history in support of the ordinance. The City administration is now in the process of developing regulations and instituting the program. The ordinance addresses for the first time a situation in which less than 2% of the City's contracts were awarded to minority- and female-owned enterprises.

Philadelphia
Set Aside
Ordinance

Access to jobs for workers of every type; safety and health at work; and the supply of jobs . . . all these are problems faced in an urban setting, and the Employment Project has worked with the Law Center's Disabilities and Environment Projects to achieve those goals. In the coming year, the Law Center is designing a special project to assist civic and community groups to identify and analyze successful ways to increase employment. Another arena for future PILCOP exploration is the development of minority caucuses at large employers, such as police, firemen, teachers, and utilities.

Job training
programs

15 years after passage of federal anti-discrimination laws, the gap between minority and white employment is increasing, in spite of efforts to end discriminatory practices. Unemployment of adult black males is close to 3 1/4 times higher than the rate for adult white males. Racial bias, and blatant and subtle forms of discrimination, are at the root of the high minority unemployment. Until jobs providing steady income and adequate security for a decent life are available to all workers irregardless of race or sex, the Law Center will continue to combat discrimination.

Rising
minority
unemployment—
an unsolved
problem

TENTH ANNIVERSARY EVENTS

A committee chaired by W. Jeffrey Garson, Esquire and Flora Wolf, Esquire has begun to develop plans for two events in 1984 in celebration of the Law Center's tenth anniversary: a Dinner and a Symposium. Both will be held in the Fall. More details will be announced in the next Newsletter.

*Help Us To Serve
You Better!*

. . . and win a free ticket to our gala Tenth Anniversary Dinner at the same time. All you have to do is give us your opinion on . . .

our newsletter. The first ten responses we receive — whether they praise or vilify — will become candidates for the free ticket in a random drawing, witnessed by three upright and disinterested parties, on February 1, 1984. Just fill out this reader survey now. We really want to know how to serve you better.

Editorial Content: Are the lead stories about the Law Center interesting and readable? Yes No

Your comments: _____

Profiles/Board: Are you interested in profiles of our Board members: Yes No

Your comments: _____

Profiles/Clients: Are you interested in reading about our clients: Yes No

Your comments: _____

Legal Update: Do you read with interest the brief reports on the status of the Law Center cases? Yes No

Your comments: _____

What other kinds of information should our Newsletter provide? Some possibilities are . . .

(check those you would be interested in)

- Reports on work being done at other regional law centers.
- Profiles of PILCOP staff members
- Actions taken at PILCOP Board meetings

Please use this space for additional comments and suggestions . . .

NAME: _____

ADDRESS: _____

Please mail this survey form to Peter Stevens, Newsletter Editor, PILCOP,
1315 Walnut Street, Philadelphia, PA 19107

Introducing Our Clients

This is the fourth in a series of profiles
of our most active clients.

PHILADELPHIA AREA PROJECT ON OCCUPATIONAL HEALTH AND SAFETY (PHILAPOSH)

The enactment of the Occupational Safety and Health Act (OSHA) in 1970 was heralded as the panacea for worker health and safety problems. But action in the years that followed did not fulfill the hopes that had been raised. The failure of the OSHA staff to develop and enforce the needed regulations and obduracy on the part of employers slowed progress to a crawl. By the mid 1970's it was clear that an organized effort was needed if OSHA was to realize its intended purpose.

In Philadelphia, the Philadelphia Area Project on Occupational Safety and Health, a non-profit organization, dedicated itself to the improvement of working conditions. Starting with a few volunteers, PHILAPOSH has grown to a membership of more than 120 local unions in Pennsylvania, Southern New Jersey and Delaware, and a staff of three: Rick Engler, Jim Moran, and Harriet Rubenstein. It has served as a model for more than 30 similar groups across the country.

PHILAPOSH programs include outreach to inform workers about their OSHA rights; workshops and conferences on health and safety issues and workers' compensation problems; legislation to give workers and residents access to information about toxic substances; and publications such as a monthly journal, SAFER TIMES, and a comprehensive guide to workers' compensation law in Pennsylvania, "Injured on the Job."

The Law Center's Environmental Project, led by attorney Jerry Balter, has given PHILAPOSH legal assistance since 1978. In 1979 the Law Center filed an *amicus* brief on behalf of PHILAPOSH in the *Whirlpool* case, in which the U.S. Supreme Court ruled that workers have the legal right to refuse work under imminently dangerous conditions without fear of retaliation. More recently the Law Center helped in the successful campaigns for Right to Know Legislation in Philadelphia (January 1981) and New Jersey (August 1983).

Introducing Our Board of Directors

STANLEY R. WOLFE

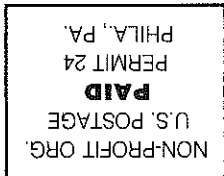
After graduating from the Yale Law School in 1966, Stanley R. Wolfe worked at Pepper, Hamilton & Scheetz for 4 years, before becoming Director of the Bureau of Litigation in Pennsylvania's Department of Environmental Resources. From 1972 to 1974 he was Director of the Narcotics Control Strike Force, investigating police corruption with the Pennsylvania Crime Commission.

He cites historical, ideological and personal reasons connecting him to the Law Center. "I realized early that I didn't want to do corporate defense work. I had always wanted to 'do good', using government and the courts as tools to cure ills. Many of the people I met while at Pepper and at the State were early activists in PILCOP. It was natural for me to play out my primary focus of social obligation on the PILCOP board."

Joining Berger and Montague in 1974, Stanley is now Chairman of their Corporate Securities Department, overseeing a staff of 9 lawyers. The firm specializes in national class action securities fraud, antitrust and environmental litigation.

Although Stanley's personal history and current professional work clearly link him to the Law Center's interests, he sees his role on the Board not only as policy-maker, but as an advocate of fiscal responsibility. To achieve that goal, he is focusing on three objectives: generating increased third-party support from individuals, foundations and corporations; recruiting a new generation of leadership, key people from the legal and corporate communities to support PILCOP financially and to be active in its nuts-and-bolts committee work; and pursuing public interest litigation which will generate funds.

Elected Board Chairman in January 1983, Stanley will serve a second one-year term in 1984. What, besides working to realize the three objectives, might explain his extended tenure as Chairman. "I make all the meetings functional." He grins. "I'm known for running the shortest meetings in the Board's history."



PUBLIC INTEREST LAW CENTER OF PHILADELPHIA
1315 Walnut Street, Suite 1632
Philadelphia, PA 19107

FLORENCE GAYNOR

Elected to the Board in January 1983, Florence Gaynor describes herself as having come up the nursing route, earning a B.S. in Nursing Education and her M.A. in Public Health Administration. She came to Philadelphia in March 1980 as Executive Director of the West Philadelphia Mental Health Consortium (known simply as "The Consortium"), with more than ten years experience in health management.

The largest of Philadelphia's 13 mental health centers, with over 300 employees, the Consortium was formed in 1967 in response to the Mental Health and Mental Retardation Act of 1966. It offers a core of mental health, drug, alcohol, older adult and mental retardation services to residents of Catchment Area Three. As if she had graduated *summa* from the Consortium's stress management training, Florence speaks warmly and calmly of the agency's myriad services and clients. The demeanor of the harried administrator has no place in her spacious corner office walled with windows. "I'm a systems person. All we want to do is move all our clients — from preschool right through senior centers — to another healthier level."

She singles out the Conflict Resolution Skill Training Project, offered as a credit course at John Bartram and West Catholic High Schools, with a related parents' workshop. It helps people examine and cope with racial tension and violence. "We've gotten calls from all over the country — North Carolina, Virginia, Michigan — about this program. We're hoping to make it part of the junior high and elementary curricula. People have to learn to recognize their hostilities and tensions, and deal with them."

Reflecting the array of interests of the Consortium's constituents, Florence feels she can represent those interests on the PILCOP Board. "And I'm so pleased to be here, because I get insights on how we can use the Law Center more effectively to help solve our clients' problems."

HOW YOU CAN HELP US

The Law Center depends upon the financial support and the volunteer help of many friends. There are three ways you can assist us:

- **Contribute to the Law Center.** We welcome gifts of any size. Your check should be made payable to PUBLIC INTEREST LAW CENTER OF PHILADELPHIA. Contributions are fully tax deductible.
- **Become a Law Center volunteer.** We have a number of committees, made up of lawyers and non-lawyers, which help PILCOP in a variety of planning, publicity and fund raising activities. To find out more about these opportunities, please write or call Peter Stevens at the Law Center, 735-7200.
- **Complete and return our Reader Survey.** Your comments and suggestions will help us make these Newsletters more interesting and informative.