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Equal Apprenticeship Opportunities in New York City

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EQUAL APPRENTICESHIP OPPORTUNITIES IN NEW YORK CITY

by

Ray Marshall and Vernon M. Briggs, Jr.*

Introduction

New York City has had a great variety of minority employment problems and has had a wide variety of programs designed to improve the employment conditions of groups. Because they were accompanied by demonstrations and have been relatively successful, the efforts to get more Negroes into New York apprentice programs have attracted national interest. This paper is based on the conviction that a review of these experiences will be beneficial to those undertaking similar programs in other cities.

The Issue In Perspective

A 1960 study by the New York State Commission Against Discrimination (SCAD) disclosed that (1) "Both historically and currently Negroes have not been utilized by industry [in New York] in the skilled craft components of the labor force;" and (2) that "apprenticeship has not been, nor is it presently, a significant mode of entry for Negroes into skilled-craft occupations."* With reference to the entire state, the report stated

* New York State Commission Against Discrimination, Apprentices, Skilled Craftsmen and the Negro: An Analysis, April, 1960, p. 13.

that in 1940 there were 36 Negroes out of 7,421 apprentices (or about

* The authors are, respectively, Professor and Assistant Professor of Economics at the University of Texas. This paper is based upon research done under contract with the Office of Manpower Policy Evaluation and Research, to be published under the title of The Negro and Apprenticeship, by the Johns Hopkins University Press, Fall 1967.

.5 per cent); by 1950, there were 152 Negroes out of 10,000 apprentices (or about 1.5 per cent); in 1960 there were about 300 Negroes out of 15,000 apprentices (or about 2 per cent.)* About 73 per cent of the total

* Ibid., p. 15.

apprentices in the state were in New York City, with the bulk of these concentrated in the construction and printing trades. SCAD found that "of the relatively few Negro apprentices in the state, nearly all are located in the New York City region," and primarily in the electrical, bricklaying, painting, and "possibly carpentry trades."* Similarly,

* Ibid., p. 64.

the report stated that there were no Negro apprentices in the city in the following trades: plumbers, steamfitters, sheet metal workers, structural and ornamental iron workers, plasterers, and mosaic and terrazo workers.

A second report, made in 1963 by the New York Advisory Committee to the U.S. Commission on Civil Rights, concluded that:

...Negroes are denied access to employment in most of the building trades in New York City. The study further indicates that retention of present practices in admission to apprenticeship programs will mean that Negroes can expect no more than token participation in most of the building trades in the future.*

* "A Report of the New York Advisory Committee to the U.S. Commission on Civil Rights," reprinted in The Role of Apprenticeship in Manpower Development: United States and Western Europe, Vol. III, Committee on Labor and Public Welfare, Washington, 1964, p. 1250.

The format of the 1963 report was similar to the earlier SCAD findings

except that it indicated little had been done since 1960 (except the notable action by Local 3 of the International Brotherhood of Electrical Workers (IBEW) -- to be discussed below -- about which the report is highly complimentary but pessimistic in its expectation that other unions might follow the example).

A third study, issued in 1963 by the New York City Commission on Human Rights, reported that:

The City Commission on Human Rights finds a pattern of exclusion in a substantial portion of the building and construction industry which effectively bars nonwhites from participating in this area of the city's economic life.

The Commission finds the foregoing condition is the result of employer failure to accept responsibility for including minority group workers in the staffing of his projects, union barriers to Negro admittance, and government failure to enforce regulations barring discrimination.*

* The City Commission on Human Rights, Bias In the Building Industry: An Interim Report to the Mayor, December, 1963, p. 10.

Since 1963, the Building and Construction Trades Council has released figures indicating the number of nonwhites admitted to various apprentice programs. These figures, shown in Table 1, must be interpreted with care, since Puerto Ricans are often included as nonwhites in New York City statistics and these tables do not indicate the number who have dropped out after having been admitted.

Nevertheless, there can be little question that in spite of uneven progress in some apprentice programs, developments since 1961 have caused considerable change in New York programs. We turn our attention next to some of the more notable of these events.

TABLE 1

NONWHITE PARTICIPATION IN APPRENTICE PROGRAMS IN
SELECTED BUILDING TRADES UNIONS SINCE
MARCH 1963

UNION	NON-WHITE APPRENTICES ADMITTED BETWEEN		TOTAL NON-WHITE APPRENTICES ADMITTED BETWEEN
	MARCH		MARCH
	1963-1965	1965-1966	1963-1966
Carpenters District Council	623	7	630
Operating Egengineers #15	7	(no program)	7
IBEW #3	240	35*	275
Iron Workers #361	8	N.A.	8
Iron Workers #40	N.A.	14	14
Elevator Constructors	N.A.	2	2
Plumbers #1	16	6	22
Plumbers #2	9	0	9
Sheet Metal Workers #28	0	11	11
Steamfitters #638	9	6 ⁺	15

* Data supplied by Workers Defense League.

⁺ Data supplied not by union but by Area Coordinator for the
U.S. Equal Employment Opportunity Commission.

SOURCE: N.Y. City Building and Construction Trades Council
(except where indicated).

Special Background Developments

The 1962 Apprentice Class of IBEW Local 3

IBEW Local 3's experiences with Negro apprentices have been without parallel anywhere in the nation. With over 34,000 members, Local 3 is among the largest single locals in the construction trades. The union has two broad categories of members: "A" Division which does the construction work and "BA" Division which does manufacturing work. About 30 per cent of the membership are in "A" Division and 70 per cent are in "BA" Division. Prior to 1962, almost all minority members were in "BA" Division -- mostly holding semiskilled and unskilled jobs. Minority representatives in 1961 totaled 1,500 Negroes and 3,000 Puerto Ricans -- or 4,500 in all.

Traditionally, eligibility for apprenticeship in the New York electrical industry was based upon a father-son relationship. In the early sixties, however, Harry Van Arsdale -- Local 3's business representative -- sought to broaden the opportunity base for admission by also making sons of its "BA" members eligible for apprentice position in the "A" Division. In this way, the sons of the 4,500 minority members were also made eligible.

However, Local 3's past apprentice recruitment pattern underwent a drastic reversal during 1962. As an outgrowth of contract negotiations in which the 25 hour week was established, Van Arsdale announced that his union would increase sharply the number of apprentices selected for the next class and that every effort would be made to assure substantial minority participation.

In complying with the agreement, Local 3 sent out 2,000 letters on April 3, 1962 requesting the submission of applications. Civil rights groups, employers, vocational high schools, and other unions in

the city were notified. A total of 1,600 completed applications were received. To review the applications, a special three-man screening committee was established consisting of: Dr. Harry J. Carmen, Dean Emeritus of Columbia; Robert McCormick, Director of Apprentice Training of the Joint Industry Board; and Edward Mays, Assistant to McCormick and who in 1961 became the first Negro ever to graduate from the apprentice program and receive an "A" journeyman's card. The qualifications established by the committee were a high school diploma, an aspiration to go to college, and be between 18 and 21 years of age. There was no written test given to any applicant. In fact, no written tests had ever been given for admission into the local's apprenticeship classes before 1966.

A class of 1,020 new first year apprentices was selected in 1962 (more than the total number in the entire five-year program at that time). Of this number, 240 were Negroes and 60 were Puerto Ricans.* The 300

* The figures showing the number of Negroes admitted in 1962 were supplied by officials of the WDL, the Building and Construction Trades Council, and other interviews in the city. This figure is higher than those reported in "The Report of New York Advisory Committee to the United States Commission on Civil Rights," reproduced in The Role of Apprenticeship in Manpower Development: United States and Western Europe, Committee on Labor and Public Welfare, (88th Cong. 2d. Sess., Washington, D.C.), pp. 1253-54. That report showed only 140 Negroes were admitted. All other sources interviewed have reported 240 Negroes were admitted.

minority apprentices were placed in the regular apprenticeship training class which would lead to full journeymen status with class "A" membership. The significance of this event cannot be stated in strong enough terms; its importance can be gauged by the fact that the U.S. Census of 1960 reported only 79 Negro electrical apprentices in the entire nation.

The 1963 Demonstrations

On May 15, 1963, a civil rights group known as the Joint Committee for Equal Employment Opportunity (JCEEO)*, announced plans to picket

* JCEEO's membership was composed of representatives of the New York Chapter of CORE, the Negro-American Labor Council, the Workers Defense League, the Urban League of Greater New York, and the Association of Catholic Trade Unionists.

the construction site of the Harlem Hospital to protest discrimination in the building trades. The committee demanded that 25 per cent of the employees at the job site be Negroes or Puerto Ricans (at the time, nine of the 64 employees, or 14 per cent were Negroes). JCEEO had asked for a meeting between all parties to discuss the subject. The offer was declined by the unions and the contractors although the Acting Mayor, Paul R. Screvane, accepted the offer. After the refusal, JCEEO started picketing the job site in June 1963. After two days of picketing which was characterized by intermittent clashes with the police, the Acting Mayor ordered the suspension of the construction work "in order to develop a climate" to study the charges.

The demonstrations at the Harlem Hospital project were part of an attempt to shut down all publicly-aided construction in the city until 25 per cent of the jobs were filled by Negroes and Puerto Ricans. Accordingly, demonstrations began during the summer at the Rutgers Housing Project (on the lower East Side), the Downstate Medical Center (in Brooklyn), at Rochdale Village Housing Project (in Jamaica), and Madison Houses (in Harlem). Blocking access entrance to job sites, daily sit-ins at the Mayor's Office (lasting ultimately for 44 days), sit-ins at the Governor's Office in the city, clashes with police, and over 650 arrests of demonstrators at those sites kept the issue in the headlines. Meetings were held

between union, civil rights, and city and state government officials.

The Rodgers Committee

The first indications of progress toward a settlement came on July 23, 1963 when the city's Building and Construction Trades Council announced a plan to establish a specific referral committee to assist in processing applications from nonwhites for apprentice and journeyman positions. The biracial committee, more commonly known as the Rodgers Committee, was formed to screen and interview Negroes and Puerto Ricans who believed themselves qualified for employment in the construction industry. The interviewees were referred to it by civil rights groups, the state employment service, a special city government program, a separate state recruitment program, or by individuals who requested through their own initiative an opportunity to be interviewed. The interviews were conducted in a downtown hotel rather than in a union hall. Moreover, the committeemen worked without pay and the entire cost of the operation (about \$9,000) was paid by the Building Trades Council.

To be interviewed by the committee, an applicant (1) must have been either Negro or Puerto Rican and (2) must have resided in the city for at least two years. After he was interviewed, the applicant was either rejected or referred to the local union in the trade applied for. Referral did not constitute admission; rejectees, on the other hand, had the option to appeal to a special three-man committee (one man appointed by the Governor, one by the Mayor, and one by the Secretary of Labor). The referral committee met twenty-four times between August 9 and October 26, 1963.

A total of 1,624 Negroes and Puerto Ricans expressed an interest in apprenticeship. Of this number 528 were rejected before being interviewed (129 because they were non-residents; 202 because they were either

over or under age for apprentice programs; and 197 because they lacked minimal education). Thus, 1,096 were scheduled to be interviewed. Of this number 426 (or 39 per cent) did not appear. The remaining 670 were personally interviewed with the result that 573 (or 83 per cent) were referred to unions and 97 were rejected for the following reasons; lack of minimal education - 21; over and under age - 20; non-residents - 6; not Negro or Puerto Rican - 50.*

* All figures in this paragraph are taken from "Report of the Building Industry of New York Referral Committee" (December 18, 1963), pp. 4-5, (typewritten material).

The Rodgers Committee also attempted to refer journeymen. A total of 494 individuals applied to the committee for journeymen positions: 243 were rejected (57 because they were non-residents; 54 because they had no construction experience; and 132 because they had no journeymen experience). Accordingly, 241 were to be interviewed but 72 did not show up (or 28 per cent). Of the 179 actually interviewed, 109 (or 61 per cent) were referred, and 70 were rejected. The 70 rejectees were disqualified because: no journeyman experience - 23; no construction experience - 21; age - 2; not Negro or Puerto Rican - 24.*

* Ibid., p. 4 and 6.

Of the 682 apprentice and journeymen referees, the information provided on actual placement is somewhat sketchy. A total of 111 referrals were accounted for in the report (action was still pending on many applications at the time of issuance of the final report). In aggregate terms, 81 of the 111 were accepted; 28 (or 25 per cent) failed to appear at the union halls; and only two were rejected who actually applied to

the unions. It is clear, however, from a review of Table 2 that many of those whom the unions had accepted decided not to avail themselves of the opportunity once it was offered to them (such is clearly the case with the carpenters experience). Accordingly, actual placements were far fewer than the number of referrals.

The Rodgers Committee drew two important conclusions from its efforts. First, massive campaigns to recruit applicants can be a fruitless undertaking: 498 (or 25 per cent) of the applicants for apprentice and journeymen positions did not show up for the referral interview*

* These figures do not include those who could not be interviewed at prescribed times. All of those who notified the Committee of time conflicts had new appointments made at convenient times. Two applicants of this broad recruitment effort stated "that they were recruited in the park [and] did not know what it was all about and had no desire for any training." (Ibid., p. 12).

and many others failed to apply once referred. Secondly, the committee came to the following critical conclusion on the preparation of the youths who appeared before it:

One of the greatest eye openers to this Committee was the apparent abandoning of many youths in our school system. Most of the Committee was shocked that boys who were graduates of our vocational high schools or who had at least two years in these schools could not spell such words as 'brick,' 'carpenter,' 'building,' etc., or could not add inches and feet.... It is quite apparent that they are the products of a social system that pushed them through the earlier grades of school without insuring that they had the basic tools necessary for a minimal academic education. They were shunted to the dumping ground of the 'vocational school.'

We call attention to this problem because the apprentice in any trade must come equipped with these tools. It has been the experience of many who direct apprentice programs that the apprentice with a firm academic schooling fares better than the vocational trained apprentice. We see a very good lesson for those who are interested in minority groups entering the skilled crafts.*

* Ibid., pp. 12-13.

TABLE 2

SPECIFIC PLACEMENTS OF INITIAL REFERRALS
BY THE RODGERS COMMITTEE

Cement Masons	9 accepted (no breakdown between apprentice and journeymen)
Elevator Constructurs	9 accepted (no breakdown between apprentice and journeymen)
Operating Engineers #15	4 apprentices accepted (10 more placed on list for consideration for next class) 3 journeymen accepted
Operating Engineers #30	1 apprentice accepted
Glaziers	4 apprentices accepted
Lathers #46	4 apprentices accepted
Painters	18 apprentices accepted 3 journeymen accepted (4 others accepted but they declined)
Carpenters	3 journeymen accepted 43 apprentices accepted a) 5 did not show up to the District Council to be interviewed b) 2 declined membership c) 36 were referred to locals 43 (Sub-Total)
Of the 36 referred to the Locals:	a) 22 failed to report to the local b) 7 reported but failed to return for initiation and placement c) 1 reported but declined membership d) 6 reported and were employed 36 (Sub-Total)
Operating Engineers #94	1 apprentice selected
Structural Steel and Bridge Painters #806	7 journeymen accepted 1 apprentice accepted
Painters #1456	2 acceptances (no breakdown between journeymen and apprentices)

SOURCE: "Report of Building Industry of New York Referral Committee,"
(December 18, 1963), pp. 15-18.

Summing up its work, the Committee stated that:

We had been led to believe that there were thousands who couldn't gain admittance into the buidling trades unions. As a committee we felt that the numbers who came forward were small and those qualified were even smaller in number.*

* New York Times, December 19, 1963.

The Sheet Metal Workers Local 28 Case

In March 1964, the State Commission for Human Rights (NYSCHR, formerly the State Commission Against Discrimination) ruled that Sheet Metal Workers Local 28 had systematically barred Negroes throughout its 76 year history. Although the NYSCHR's action was based on a verified complaint of James Ballard (a Negro apprentice applicant) filed by the State Attorney General with the State Commission in late 1962, the decision was seen as revolutionary in that it was based upon the existence of a historical pattern of exclusion rather than relying entirely on a specific complaint.

The union appealed the NYSCHR decision that it was guilty of discrimination and on review the Supreme Court of New York County upheld the Commission's findings in toto.* The Court outlaws as "illegal

* 252 NYS 2d 649

and unconstitutional" the union's customary father-son preference. The Court also agreed with the Commissioners' proposal that affirmative relief be taken by the union to open up its membership ranks to all qualified applicants. Shortly afterward, the Court accepted a plan drawn up by the industry concerning the selection methods for the next class of apprentices. It was agreed that sixty-five apprentices were to be admitted into

a class to be formed not later than March 15, 1965. As a further stipulation, the Court stated that it expected that new classes would be formed thereafter on a regular basis. After forming the Spring class of 1965, however, the union announced that it would not form its customary fall class of 65 apprentices. The union later agreed to form a new class but balked over being told how large it was to be. Hence, the lower Court on October 18, 1965 issued a second order directing that a class of 65 be formed on or before October 30, 1965. Both the employers and the unions appealed this order claiming that it represented judicial interference. Class size, they contended, had nothing to do with the discriminatory practices condemned in the original ruling. On December 10, 1965 the New York Supreme Court, Appellate Division, affirmed the lower Court ruling that a second class be formed in 1965 and that it consist of 65 apprentices (this class ultimately had 11 Negroes in it).

The New York Apprenticeship Law

With the Sheet Metal Local 28 case in the headlines in early 1964, the apprenticeship issue was rekindled in the state legislature. Acting on the recommendation of the State Attorney General, a measure was introduced to make it "an unlawful discriminatory practice" to select persons for apprenticeship programs on any basis "other than their qualifications." The language of the proposed act had been composed by the State Civil Rights Bureau. The bill was brought before the lower house from the rules committee "in a surprise move" only a few days before the scheduled adjournment of the session. Immediately before the vote was taken a memorandum was circulated to many legislators from Raymond Corbett, President of the State AFL-CIO (and business agent for Iron Workers Local #40 in New York City), indicating his organization's opposition to the proposal. The bill consequently was defeated by ten

votes. Ostensibly, the opposition concerned the question of how the concept of apprentice selection "by objective criteria which permit review" would be enforced.

The State Federation's action drew immediate protests from civil rights, government, and even union representatives. Civil rights groups denounced Corbett's stand and threatened to renew their picketing of construction sites. The speaker of the Assembly, Joseph F. Carlino joined in the criticism. A few days later, Corbett announced that the State AFL-CIO would withdraw its opposition since "our reasons for objecting to this bill have been misunderstood."* On March 24, 1964, shortly after

* New York Times, (March 24, 1964).

Corbett's announcement, the bill was passed by a vote of 135 to ten (out of 150 possible ballots).

Although the bill became law a few days later and was to become effective on September 1, 1964, a one year grace period was allowed for apprentice programs to be brought into compliance. It is understood from our field interviews with State BAT Officials in New York as of late 1966, that all major programs in New York City except that of Plumbers Local 2 were in compliance with the New York apprenticeship law.

The New York regulations for equality in apprenticeship programs provide less latitude to the industry than the federal apprenticeship regulations issued by Secretary of Labor W. Willard Wirtz in 1963. The New York regulations require the selection of apprentices "after full and fair opportunity for application on the basis of qualifications not based upon race...in accordance with objective standards which permit review." New York did not follow the federal example of permitting selections which "demonstrate results." Under the federal regulations, no control is

exercised over the selection standards so long as they are objectively administered, but the New York regulations provide that "No program may be or remain registered unless it includes an acceptable selection procedure and acceptable standards for admission." The New York law also specifies that to be acceptable, tests must be reasonable, meaning "reasonably related to general intelligence and/or job aptitude and developed and administered by competent organizations." In addition, the New York law requires apprentice sponsors to give applicants written statements of qualifications for admission and specify in writing the reasons why applicants are not appointed. Any applicant who is rejected must be notified that he may register a complaint with the NYSCHR "if he believes that his failure to qualify on the applicant list, or his ranking on such list, or his failure of appointment was caused by discrimination...."

The penalties under the New York law are limited to deregistration. Programs sponsors may have a hearing before programs are deregistered except where the NYSCHR has found discrimination, in which case the program may be deregistered without a hearing.

The Plumbers Local 2 Case

In April 1964, the spring building season in New York was ushered in with a new confrontation that centered upon minority participation. On April 30, 1964, all the plumbers on a \$25 million city construction site (the Terminal Market) in the Bronx struck when three non-union Puerto Ricans and one Negro plumber reported to work. The non-union plumbers had been hired by a contractor who had made an agreement with the City Commission on Human Rights (CCHR) to hire from minority groups. The four men were interviewed in late April 1964 and told to report to work on the 30th. Following the union walkout, the four filed charges

with the CCHR alleging that they were being discriminated against by Plumbers Local 2.

On May 1, 1964, the plumbers again refused to work claiming that they would not work with non-union men. The CCHR began proceedings to cancel the building contract because of discriminatory practices. It was the first time that any governmental agency in the state had initiated such a step. As the stalemate entered its seventh working day, President Lyndon Johnson requested that Secretary of Labor Wirtz investigate the matter. At the same time, AFL-CIO President Meany dispatched two aides from the AFL-CIO Civil Rights Department to gather the facts concerning the dispute. On May 11, 1964 CORE started picketing in front of Local 2's headquarters and staged a sit-in inside the lobby of the union's office building. Finally, on May 15, 1964, after the walkout had lasted two weeks, an accord was announced by Mayor Wagner, accompanied by George Meany. It was agreed that the regular journeyman's examination would be given the four men, and, if they passed, their applications would be accepted so that they could go to work immediately. Although Meany criticized the CCHR for forcing the Company to hire the four men and was quoted as saying on the same day that the action of the local "was completely justified" since it "is the practice of American labor to work with union men,"* he was nevertheless instrumental in the settlement.

* New York Times, (May 16, 1963), pp. 1 and 38.

Hopes for an end to the impasse were soon dashed, however, because the four workers refused to take the examination. The attorney for the group said that it was illegal (allegedly violating the Taft-Hartley ban on the closed shop since only the employer has the right to determine the qualifications of his employees), for the union to give

the test. On May 18, 1964, when the four showed up for work they were told they were "not hired" by the contractor since they refused to take the test.* Work was resumed by the other union members. On the evening

* New York Times, (May 17, 1964), p. 1 and 46.

of May 18, three of the four non-union plumbers relented from their earlier position and, in the presence of the CCHR representatives and the press, the three men took the journeyman's test. They all failed. Subsequently, the three filed charges with the NLRB alleging that the union had violated the Taft-Hartley Act by causing the employer -- through the strike -- to discontinue the employment of the newly hired employees.

On June 5, 1965 the NLRB ruled against Plumbers Local 2 by holding that in no instance may union membership be a condition of employment prior to the expiration of the seven day grace period allowed by the NLRA (after which time the union may admit them or else they can stay on the job as non-union employees) and that standards for judging competency for admission to the union cannot be limited to the passing of a particular union's test.* While the decision did not pertain specifically

* 59 Labor Relations Reference Manual, 1234-1238.

to racial discrimination, it was heralded by an NAACP spokesman as "a real breakthrough against the discriminatory practices of unions."*

* New York Times, (June 6, 1965).

The Activities of the Workers Defense League

The nucleus about which almost all activity for recruiting, preparing, and referring Negroes for apprenticeship openings has revolved in the city has been the pioneering work of the Workers Defense League (WDL). Founded shortly before World War II as a human rights organization, the WDL moved into the apprenticeship area in 1963 as a participant in the JCEEO demonstrations. After the construction site was closed, it became very apparent to the civil rights leaders in general and the WDL staff in particular that they had no way to fill vacancies in apprenticeship programs even if they were made accessible. As a result, WDL decided to concentrate on the apprenticeship problem as one of its primary missions. At first it planned to do a case study of the reversal experience of IBEW Local 3. Instead, however, it decided to assume the more ambitious task of recruitment. But in order to accomplish this objective, it was first necessary for the League to determine the union's admission standards. Information was not available from most of the unions, the state apprenticeship offices, or the city's apprenticeship information center (which had been established in September 1962). Thus the WDL decided to begin its work by gathering and publishing a guide to the entry requirements of New York apprentice programs. After months of fruitless efforts to uncover these standards, the League found a man in the New York State Employment Service who had such a listing in his files. Once secured, the data was published and widely distributed by the WDL in a booklet entitled Apprenticeship Training in New York, Openings in 1963. The booklet listed 3,000 openings for apprentices and told exactly where and how to apply and -- most importantly -- what qualifications were prerequisites for application. Since many Negroes from the ghettos know what a carpenter is but have no idea what a sheet metal worker does and therefore would

never apply to one of these unknown trades, each trade was carefully explained so that the reader would know exactly what the trade did. The handbook also sought to intice presently qualified minority people to apply for apprentice openings and to encourage potential applicants to acquire the necessary qualifications.

Early in 1964, the WDL received grants from the Taconic Foundation to undertake more extensive operations. In May 1964, Ray Murphy a New Jersey employment specialist with a Master's degree in psychology, became director of the WDL's Apprentice Program. He was joined by Ernest Green as his assistant. Full scale operations commenced on June 1, 1964 with the opening of a special office in the Bedfred-Stuyvesant section of Brooklyn, which is convenient to the heart of New York's minority community.

Recruitment efforts and the dissemination of information have been the cornerstone of the WDL's efforts. A group of Brooklyn ministers had promised the WDL a list of 600 applicants for apprenticeship gathered in conjunction with the construction site demonstrations of the preceding year, but the ministers never made the list available despite continual efforts to secure it. It was therefore necessary for the Apprentice Program to begin its work from scratch. Contact was established with other youth employment organizations in the city who were requested to refer all young people eligible and interested to WDL; information channels were established with various community organizations (such as churches, fraternal and civil rights groups) through mailings and direct talks to meetings; membership was established with the Central Brooklyn Coordinating Council in order to coordinate WDL's work with the broader antipoverty program for the area; and liason was begun with the school system, and with local school officials and counselors. WDL staff members made speeches to the students and conducted apprenticeship conferences at local schools.

In its initial efforts to collect a list of available applicants the WDL staff gathered a list of 700 names from vocational schools in the area. Since many of the 300 applicants who actually presented themselves to the WDL for testing and screening were not qualified, the WDL found itself in the awkward position of being forced to tell many of the minority group respondents it had recruited that they were not eligible to enter an apprenticeship program. Such blanket efforts, therefore, have been replaced by new approaches which emphasized more selective recruitment.

In addition to locating minority applicants, an important explanation for the success of the WDL's work has been its ability to win the confidence of many union officials in the community. Initially, some local union officials thought that the League was "some communist group," but their fears were quickly dissipated. But it became obvious that the WDL, unlike some other groups, was more interested in getting Negroes and Puerto Ricans into apprentice programs than in embarrassing the unions. From the inception of its apprentice program, WDL has sought and has received consultative advice from local and national AFL-CIO civil rights staffs. Moreover, local union officials were contacted and informed of the League's objectives and methods. Its efforts are designed explicitly to avoid direct and dramatic public confrontations with the unions. In fact the WDL reports that "the emphasis of the apprenticeship program has always been on placement of applicants (rather than on 'cases,' or education, publicity, or on pressure)."* As a result, the WDL has by

* "Report of the Committee on Minority Employment Rights: Report of the Apprenticeship Program," Workers Defense League, (undated, mimeographed material), p. 4.

unwritten consent become the chief referral channel through which virtually all minority applicants must pass if they seek entry into an apprenticeship

program in the city. Indicative of this accord is the fact that most of the major unions, which are under no legal compulsion to do so, now notify the WDL in advance of the dates in which entrance tests are to be given so that minority applicants can be assured of an opportunity to apply. Peter Brennan, Chairman of both the city and state Building Trades Councils and other union officials directly involved with New York apprenticeship training programs and interviewed during the course of our study spoke in the most laudatory terms of the work of the WDL. It is apparent from these interviews that WDL representatives have worked hard to develop this rapport and hope to strengthen it in the future. Evidence of this feeling of relative achievement can be found in a 1966 report of the WDL activities for the preceeding year. The report stated: "It is our impression that some trade unionists who new realize that their unions must be integrated are relieved to discover a responsible and reliable source with which to work."*

* Report to the Taconic Foundation from the Workers Defense League for the period June 1965 through December 1965, (dated January 4, 1966), p. 3.

Unlike most of the recruiting efforts conducted by Human Relations Boards or civil rights groups in other cities, the task of the WDL does not simply end with the provision of people to union examination sessions. The WDL goes much further. Once notice of a forthcoming examination is received, a group of applicants is picked for special prep classes. The selected group -- all of whom are "above average high school graduates... who can most easily obtain other work, or who think of higher education as an alternative"* -- have all been interviewed and given a thirty minute

* Ibid.

aptitude test (the Otis Quick Scoring Test of Mental Ability (Gamma C) by the WDL staff. The WDL defends its practice of concentrating -- but not relying solely -- on the cream of the crop of minority people because of its experience with the "time-lag problem" that has frequently been the pitfall of similar efforts in other cities. Namely, there is frequently a long waiting period between the time when an applicant initially expresses an interest in apprenticeship and the time when a class is officially formed. The WDL's experience is that "persistence -- and without any assurance of eventual success -- is rare among applicants."*

* Ibid., p. 3.

the advent of its intensive tutoring program, however, the WDL reports that it has been able to lower its initial acceptance criteria. An enlarged staff and better instructional materials have enabled the League to broaden its tutorial program and to be able to adjust to individual needs and abilities.

In addition to tutoring, the WDL provides a host of other vital services to its applicants which has added significantly to its successful placement experiences. Medical examinations are given without charge to the applicants through an arrangement made with the Medical Committee for Human Rights; loans are provided to needy applicants to pay application fees, initiation dues, and for tools; donations are given to those who need financial assistance to pay for notary fees, photostat records of transcripts, transportation costs (to union halls, job sites, or to employers's offices); applications are processed for applicants which include such services as sending the materials by certified mail, writing to high schools for transcripts; or personal assistance in completing application forms (the Sheet Metal Workers application form, for example,

was nine pages in length); appeal cases are prepared by the WDL before union appeal boards and, if necessary, before public antidiscrimination authorities; and temporary jobs are found for needy applicants who must await the often lengthy union screening process (in this regard, many of these jobs have been secured through special arrangements made between the WDL and the New York Employment Service and with other unions such as the International Ladies Garment Workers Local 99, the Hospital Workers Union Local 1199, and the Drug and Retail Clerks Union, District 65).

A review of some of the WDL's specific experiences would be useful. As noted previously, when early in 1965, Sheet Metal Workers Local 28 was ordered by the State Supreme Court to give its first entrance examination, there were 340 applicants for 65 positions (50 of whom were Negroes and Puerto Ricans). The WDL had recruited 28 of the Negro applicants. Dr. Kenneth Clark -- director of the City College of New York Social Dynamics Institute began a tutoring class on vocabulary and algebraic equations. The examination was given by the New York University Testing and Advisement Center of February 13, 1965. Scott Green, the brother of WDL's assistant director and one of the Negroes recruited by WDL, placed 68th which was the highest of all of the Negroes tested (the next highest Negro placed 97th). But when three whites who made higher scores than Green declined to accept the openings offered to them, Green became the 65th man on the list. He thus, became the first Negro ever to be admitted to the local union.

In November 1965, when the next apprentice class was formed by Local 28, 12 of 25 applicants sent by the WDL -- all of whom had been recruited and given special preparatory work -- placed among the top thirty taking the examination. One Negro dropped out which left eleven

who were accepted into the program.* The results of the WDL program are

* Under another court order, Local 28 was directed to admit an additional thirty-five applicants. Two WDL applicants were among the next 35 but, since both of them dropped out, all of the additional thirty-five were white.

indicated by the fact that of the first Local 28 class, 22 per cent of the whites and none of the Negroes placed among the top 65; but in the class that had been tutored intensively by the WDL, 56 per cent of the non-whites (14 of 25) and 38 per cent (51 of 135) of the whites placed among the top 65. The WDL had far more notice prior to the November 1965 examination than it had had for the preceding one. As a result, all of those who passed had attended the special classes conducted by a WDL staff member for 2 1/2 hour classes every Tuesday, Thursday, and Saturday for two months prior to the examination. The tutoring sessions were geared to passing a specific test rather than toward providing a general education. Those who passed the written test were then briefed on what to expect from the oral interview.

The WDL tutoring program has been so successful in placing minority members into apprenticeship programs that Local 28 challenged the validity of the scores made by its November 1966 apprentice applicants. For this class, the WDL again had recruited and prepared a group of Negro applicants. Of the 147 applicants who were actually examined, 32 were Negroes, 24 of whom passed the test. Thus 75 per cent of the Negroes passed the test as compared with only 31 per cent of the whites. Moreover of the top ten scores, 9 were achieved by Negroes -- one of whom had a perfect paper. Local 28 contended that the performance of the WDL applicants were not normal and it suspected that the scores might have been obtained by "some nefarious means." The Local, therefore, proposed to re-test the entire group

but was prohibited from doing so by the State Commission for Human Rights, which obtained an injunction against the union from the State Supreme Court. As of March 1967 the case was on appeal and the admission of the 24 Negroes was still in abeyance.

Recently, with respect to its efforts to perform a similar miracle in placing Negroes into Plumbers Local 1, a new twist was added to the Defense League's remedial program. In addition to being tutored for the written examinations by the WDL staff, several "volunteers" from Western Electric joined the program. Applicants attended tutorial sessions on test taking, basic mathematics, algebra, spatial relations, and mechanical reasoning, and, if they pass the written examination, are invited to attend mock oral interviews, with the Western Electric volunteers serving as make-believe members of the joint apprenticeship committee.

The WDL's experience in recruiting for the Plumbers Local 1 examination given in July, 1966, is also revealing. Local 1 had notified the WDL on April 1, 1966, that it would accept applications until May 31, 1966, for its examination. The union stated that it would allow Murphy and Green to be cosponsors for all applicants to the union from their office. Immediately, the WDL set out through all of its channels to locate interested applicants. Ultimately, 51 Negroes and Puerto Ricans were interviewed and pre-tested by WDL. The city's academic schools rather than the city's vocational schools, proved by far to be the more fruitful source of applicants. The WDL's experience supports the common assertion that vocational school youths are poorly educated.

Yet, lest one should conclude that the WDL's efforts never fail, its experiences with the 1966 class of apprentices for Plumbers Local 1 should be reviewed. Giving an admission test for the first time in two years, the union announced that a class of twenty apprentices would be formed. The WDL had fourteen applicants file through its offices to take

the examination. Ultimately, only three WDL recruits took the test in July, 1966. The Local announced that one of the criteria to be used to qualify to take the written examination was a 75 per cent average in the senior year of high school. Since none of the eight WDL recruits who had originally intended to take the test had such averages, the WDL appealed unsuccessfully to the union that the average of 75 per cent was arbitrary and that in a competitive examination prior grades take care of themselves. The union replied that the requirement had been approved by the state and refused to allow the recruits to take the test. The WDL then enlisted the support of the United Federation of Teachers who were able to have grades changed for three of the applicants so that they would have a 75 per cent average. The three took the written test and placed No. 3, No. 4, and No. 19 out of a total of fifty people taking the exam. However, Local 1, refused to appoint them to the class because: 1) they did not score in the 30th percentile in each of the five sections of the test and 2) the union claimed it did not receive official notification that the three applicants' records had been changed. The WDL replied that the first requirement was arbitrary and that the overall ranking should be the determining factor and, as for the second contention, it reported it had written each high school principal involved asking that such appropriate notification be given.* Nonetheless, the three Negro

* The data contained in this paragraph is drawn from the testimony of the WDL before the City Commission on Human Rights on September 26, 1966, (mimeographed material) and subsequent discussions with WDL officials.

applicants were denied admission.

In addition to work with the recruitment and the preparation of applicants, WDL has done a limited amount of research into the background

of the whites who successfully enter into these programs. One of their most detailed studies was of the Spring 1965 Sheet Metal Workers apprentice class. The background of the 65 entrants who were accepted into the class were reviewed. With respect to high school diplomas, the following results were gathered:

<u>Type of Diploma Received</u>	<u>Number of Recipients</u>
Academic	21
General	21
Commercial	7
Vocational	4
No Diploma	4
High School Equivalency	2
Mechanical	1
Other	1
Technical	4

Of the ten who scored highest on the examination, eight had academic diplomas, one had a technical diploma, and one had a general diploma. Moreover, 25 of the 64 white entrants had spent between one semester and two and one-half years in college. In other words, the obvious conclusion was that the recruits gathered by the WDL were in competition with many students who had received academic preparations in high school and, in many cases, in college.*

* The data contained in this paragraph is derived from materials supplied by the Workers Defense League.

Similar research should be undertaken by other groups who are interested with the placement of minority youth into apprenticeship classes. Such studies, it would seem, are prerequisites of successful preparatory programs. The WDL, recognizing the scope of the competition continued to require a high school diploma for most of its recruits even though the sheet Metal workers' standards required applicants to have

only a tenth grade education. Similarly, for a class formed during the summer of 1966 by Ironworkers Local 40 (which had not had a class in two years), the union accepted applications from anyone with at least two years of high school but the WDL staff has held to its requirement of a high school diploma before it would assist an applicant. In view of a 1966 study by the U.S. Office of Education, which found nonwhites in the Northeastern cities to be over^{three} years behind whites on the average, at the same time of high school graduation, the WDL's standards seem well founded. In order to implement its informational program, the WDL distributes a periodic apprenticeship bulletin and newsletter to agencies and individuals concerned with apprenticeship as well as to applicants for apprentice programs.

In passing it should be noted that the WDL became a part of the Randolph Institute in January 1967. Shortly afterward it received a \$277,000 grant from the U.S. Department of Labor and another grant of \$44,000 from the Ford Foundation to finance its continued efforts in New York City and to establish similar undertakings in Westchester County (N.Y.), and Buffalo.

CONCLUSIONS

New York has had some of the most chronic cases of municipal problems. In the past, the apprenticeship question has been more volatile here than elsewhere. Yet, as is also typical of events in this unpredictable city, the remedial developments have been far more extensive and unusual than in any of our other study cities.

Significantly, however, although the issue has been in the public spotlight and frequently has involved public agencies, the greatest strides toward resolution have come from private activities. The Workers

Defense League has no legal status. Its role has been to accomplish the task of promoting apprenticeship in general; of dispensing detailed information about specific programs; of recruiting individuals interested in applying; of tutoring applicants to pass the written examination; and of conducting follow-up research studies of the experiences of the successful white and nonwhite entrants into the programs in order to improve their procedures for the future. We are persuaded that such comprehensive efforts are required to produce meaningful progress in the construction trades.

Yet, before all the accolades are given to private initiative, it is important to recall the events giving rise to their establishment. Had it not been for the prodding of the state and city human relations commissions and the 1963 demonstrations, it is questionable that such a program would have been instigated in the present thorough form. The demonstrations served to focus public attention on this problem; the public reports acted to document the pattern of exclusion; the legal proceedings worked to eliminate some of the anachronisms of the past. In other words, the activities of the public bodies have been to set the stage whereby private, long-term programs can be established on the basis of equal opportunity principles. The public agencies, with the lone exception of the CCHR's efforts in the plumbers case, have stayed out of the vital recruitment area. In most other cities where any progress has been made in this area, the public agencies have been in the vanguard of recruiting activities. When these public agencies enter into the labyrinth of apprenticeship, they are forced to consider the issue as but one of the many social problems they are called upon to resolve. Accordingly, their activities are typically short run and designed to meet an immediate need. In most cases, city human relations agencies lack the staff and the facilities to perform all of the needed tasks to accomplish meaning-

ful long run results. New York, therefore, is fortunate to have the establishment of such an organization as the WDL which can provide the specialized expertise needed to understand apprenticeship and the continuing relationship required to maintain channels of communications between the community as a source of supply of applicants and the JAC's as a source of demand for apprentices.

The WDL approach also has another unique advantage over public agencies. The WDL has no punitive measures at hand to threaten recalcitrant unions. It cannot convene public hearings, revoke contracts, shut down projects, or require headcounts. Its success is premised upon the existence of a climate of mutual respect for all parties concerned. While the WDL operation can benefit by the removal of artificial obstacles to Negro entry into the trades by the public agencies, it cannot be associated with the direct use of punitive powers by these public authorities.

The historic actions by IBEW Local 3 demonstrates the significant difference that an attitude conducive to change can have upon opening doors hitherto barricaded to minority members. The actions of Local 3 resulted in more Negroes gaining access to apprenticeship training in one year than the WDL (as successful as it has been) has achieved in over three and one-half years. Nowhere has any other private group, government agency, civil rights crusade, or equal employment opportunity mandate either individually or in consort been able to even approach this feat. While the local's motive may not have been entirely affected by social considerations, there is no doubt that its amenable attitude made Negro participation in the electrical industry in New York more than simply a token occurrence. Its actions seem to show that the private sector can itself do more (if it is inclined to do so) to alleviate the problem

on its own then it can ever be forced to do by legal procedures.

Thus, experiences in New York City represent a ray of light in an otherwise foggy area of national concern. Each city has its unique characteristics and personalities but in no other city have the divergent forces worked together so successfully as here. While the experiences of no single city can be transferred in their entirety to another differing locality, there still remains much that can be learned from the experiences of New York by all parties to this issue in every sector of the nation.