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VOLUME II

I N D E X

SPEAKER

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MORNING SESSION

9:00 a.m.

November 11, 1977

(The following was chaired by Ms. Juana Rodriguez)

THE CHAIR: Good morning. Welcome, again, to the second day of our Wyoming Advisory Committee meeting.

This consultation on civil rights enforcement in Wyoming has the purpose of bringing out, for the first time, any local, state and federal officials as well as interested individuals to talk about issues of mutual concern.

And this morning I would like to introduce again our advisory members who are present. Of course at the table is our vice chairman, David Scott, and in the audience we have Ethel Rose today, would you please stand up, Ethel, so people can see you?

Jamie Ring, she's from Casper. And Leona Coykendall, Edna Wright, and as our staff we have, of course they stepped out, Dr. Shirley Witt, and Bill Levis from Denver.

We will follow, again, the same format or the agenda, today we have the panel and I will turn over the panel to our moderator, Mr. Scott.

1 (The following was moderated by Mr. David Scott)

2
3 THE MODERATOR: Thank you, Juana.

4 The first session this morning is going to be on
5 the subject of employment, for speakers we're going to have
6 Susan Dowler, with the Wyoming Fair Employment Practices
7 Commission, Sleeter Dover, with the Wyoming Department of
8 Highways, excuse my pronunciation, Oralia Mercado, --

9 MS. MERCADO: You're close, at least you got the
10 A's right.

11 THE MODERATOR: I flunked Spanish.

12 Wyoming Economic Security Commission.

13 Each speaker is going to be allowed approximately
14 15 minutes for whatever remarks that they wish to make and
15 at the close of the presentations, the session will be
16 open for questions and answers and if there aren't too
17 many of those we will ask the speakers to give us the
18 benefit of any recommendations that they wish to make in
19 their particular field.

20 Our first speaker, Susan Dowler. Susan?

21 I'd just like to ask a question, are you related to
22 Walt Dowler?

23 MS. DOWLER: No.

24 THE MODERATOR: None of the coaches then?

25 MS. DOWLER: No.

1 THE MODERATOR: You can speak anyway.

2 MS. DOWLER: Thank you.

3

4

5

SUSAN DOWLER

6

7 A (By Ms. Dowler) So far the panelists from yesterday
8 have served to reenforce the frustration that I feel --
9 so far the panelists that have spoken have served to reenforce
10 the frustrations that I feel sometimes in my capacity as an
11 compliance officer and that is so far I'm the only person
12 or we're the only agency within the State of Wyoming that
13 does have an actual enforcement power.

14 Not a lot, but we do have some.

15 Okay, the Wyoming Fair Employment Commission was
16 created by the Wyoming Fair Employment Practices Act in
17 1965, and it gives us the jurisdiction, basically, to
18 receive, investigate and pass upon complaints.

19 And our prohibited practices of that act make it
20 illegal to fail to hire, to discharge, to demote, to fail
21 to promote or to otherwise discriminate in terms of
22 compensation against any person otherwise qualified because
23 of their race, creed, color, sex, national origin or ancestry.

24 Another thing that our office does is we also are a
25 706 agency which is basically a contract that we have with

1 the Equal Employment Opportunity Commission and we investi-
2 gate Title VII complaints also.

3 Title VII Act is a little different, it's a little
4 broader, it covers race, color, religion, sex, and national
5 origin. Creed and religion differ, then also Title VII has
6 a broader base, it uses terms, also fail to hire, discharge
7 and then any discrimination in terms, conditions of employ-
8 ment.

9 Terms and conditions of employment is broader in
10 that it basically covers harassment on the job that our
11 act doesn't cover.

12 If your employer's trying to get you to quit, or you're
13 being treated differently than other people, you can file
14 a complaint without being discharged first.

15 Title VII also has the retaliation provision in that
16 if you are still working for your employer and you do file
17 a Title VII charge, as soon as he receives it it is illegal
18 for him to turn around and fire you because you have filed
19 a charge.

20 It also protects any people that participate in an
21 investigation from harassment on the job, discharge or any
22 other action the employer would take against them.

23 Basically, I thought I would start with the types
24 of things that can be considered discriminatory. We use
25 as our basis for discrimination court decisions, and so far

1 these all come out in federal court. There are no Wyoming
2 District Court decisions that address the problem of dis-
3 crimination.

4 We also use the EEOC guidelines. These haven't
5 been formally accepted but they will be as soon as we
6 write our new rules and procedures.

7 The types of things that are considered discriminatory
8 depending on how they're used, arrest and conviction records
9 have a higher impact on minorities. These people are
10 arrested and therefore convicted on much higher proportion
11 than other people.

12 Also credit record and garnishments. On application
13 form when people ask the color of your hair and eyes, that
14 has an obvious impact, if you're a blue-eyed blond you are
15 not going to be a Black. That's very obvious.

16 Other questions are, you know, whether friends or
17 relatives work for the company. This basically passes on
18 a hiring procedure where you do not do any formal recruitment,
19 you don't advertise in the paper, just internal people tell
20 their friends, relatives about job openings, those people
21 are hired without job openings ever going public.

22 Basically, you're facing an all-White, male, work
23 force, all of the White males pass on the information to
24 their friends and it doesn't get to the public, especially
25 to minorities.

1 Questions that would relate to sex discrimination, if
2 you have any children under 18. A lot of people want to
3 know before you're hired what kind of, you know, how old
4 your family is, the way this has been used before is allot
5 of employers weren't hiring women with children, small
6 children, preschool, basically because they would figure
7 that every time the children were sick, that the mother
8 would have to take off work, and therefore she wasn't the
9 ideal employee.

10 Other questions like what's the lowest salary you
11 will accept. Historically women have worked for less,
12 minorities have worked for less, simply to find a job. When
13 somebody asks you that question, you have a very good
14 chance of being hired, but not at the same salary that the
15 person, the White male employee would.

16 Other questions like maiden name, circle whether
17 you're Mr., Miss or Mrs., now they even use Ms. to determine
18 whether or not you are a libber.

19 Okay. Some people just ask about your sex. Or your
20 spouse's name. These types of things are to determine your
21 marital status. Now, marital status as just whether you
22 are married or not doesn't imply pure sex discrimination,
23 in order for marital status to be sex discrimination, although
24 it does affect women more adversely than men, but you have
25 to compare during the investigation how -- whether or not the

1 company hires married men and married women, divorced men,
2 divorced women; but if they hire divorced men and not divorced
3 women, that's sex discrimination.

4 Another area that's changing a lot right now is
5 religious discrimination. Questions on this also is, hair
6 color, maiden name, spouse's name, also a question, and I'm
7 sure you've seen it before, will you be able to work
8 Saturdays or Sundays. This immediately serves to screen out
9 a lot of people.

10 Height and weight requirements. When an employer
11 asks for your height and weight there really isn't any need
12 for that. What it basically does, if they have set a height
13 and weight requirement that it screens out females, most of
14 the Spanish-speaking population and Orientals.

15 Going a little farther, there seem to be more nuances
16 to sex discrimination. One that's also changing a lot
17 lately and this is also because of supreme court decisions
18 is pregnancy. A lot of employers really don't seem to
19 understand that it is illegal to refuse to hire a woman be-
20 cause she is pregnant. She'll get over it. An employer can
21 not refuse to grant a woman maternity leave. She does have
22 that right.

23 Now, there isn't any set guideline, there is also a
24 supreme court decision that says that the employer can not
25 impose a mandatory date. People used to say especially in

1 school districts, that as soon as you began to show, three,
2 four, five months at the most, that you would have to
3 leave. And that is illegal.

4 Another issue that's before the supreme court
5 right now is the issue of whether or not a woman can use her
6 accrued sick leave for maternity leave, and until the
7 supreme court decides otherwise, our commission is inter-
8 preting that as discrimination if you do not allow women
9 to use it.

10 Then the supreme court came out with the Gilbert
11 decision, and that basically is very limited and what it
12 does say is that pregnancy is not or need not be a disability
13 covered by an employer's disability insurance program. AS

14 As far as we're concerned, that's all it says. I
15 might go into just a little bit of what happens when we
16 do receive a complaint. We have ten days to process it, a
17 person can come in and complain about any type of past
18 discrimination, we really don't encourage someone to come
19 in five years down the line and say, you know, three jobs
20 ago, I was discriminated against, and you know, I really
21 want to do something about it.

22 They can do it in the State of Wyoming because we
23 don't have any formal filing period. Most other agencies do,
24 the EEOC had 180-day filing period, if you file with the
25 state commission, then you would have 300 days.

1 We receive the complaint, basically on the complaint
2 what a person has to say is what happened, basically why
3 they feel they were discriminated against and what their
4 reason is. They would have to say that, you know, such and
5 such happened and I feel it was because of my sex, female,
6 I feel it was because of my sex, male, I feel it was because
7 of my race, Indian or anything else, but they do have to
8 basically say that on the complaint form.

9 The complaint form is sent to the employer, he is
10 given forms to fill out to respond to the charges, and now
11 getting into problems, we have a staff of two people for the
12 entire state, we have, I think 125 charges pending right now
13 so it is, if the employer does not indicate that he wants to
14 settle the complaint right away, it is nine months at least
15 before the complaint can be handled.

16 During investigation, all of the witnesses are
17 talked to, comparisons are made basically the decision is made
18 on employee records, on how other similarly situated
19 employees were treated.

20 After an investigation, two decisions can be made,
21 a cause finding, which supports the charges filed by the
22 complainant, or the complaint can be dismissed.

23 Once a cause finding has been made, a settlement
24 agreement goes out to both parties, complainant and the
25 employer, asking them to consider settling it and stating

1 the terms. A complainant can not recover any kind of
2 punitive damage, they can recover back pay, they can be
3 reinstated in their jobs, they can have their seniority re-
4 stored and all other fringe benefits, settlement agreement
5 also states that, you know, if they are going back to work
6 that they will work in an atmosphere free of harassment,
7 and we monitor that person for one to two years after the
8 signing of the settlement agreement.

9 Until about six months ago we were settling most of
10 our complaints. And then, all of a sudden, attorneys
11 started thinking that maybe they would challenge us so now
12 we are backed up with hearings.

13 Now, if an employer or a respondent refuses to
14 settle at the state after a decision is made, it's scheduled
15 for a public hearing. The public hearing is held before the
16 Wyoming Fair Employment Commission which is five people,
17 the commission of labor and statistics and four other people
18 appointed by the governor.

19 At a hearing, a complainant and respondent are
20 urged to have attorneys to represent their cases. The
21 commission staff that conducted the investigation is not
22 or do not participate unless called by either attorney.

23 Each attorney has to make his own case for or
24 against discrimination. The file that was generated during
25 the investigation can be placed into the record if either

1 attorney does that. But basically the complaint is being
2 presented all over again and the commissioners decide on
3 that.

4 The commissioners have decided and whoever the
5 decision went against does have the right to appeal to
6 district court, from district court it goes on to the
7 supreme court.

8 Basically I have touched on some of the problems that
9 we do have, some of the frustrations, the first is staff,
10 in fiscal year 1976 we received 145 complaints, and until
11 that time there was only one person, the director that
12 received and investigated complaints, now we have a staff
13 of two. We can do it twice as fast, but there's still a very
14 large backlog.

15 The reason why we only have two people is because
16 we're limited by the legislature. We have a budget of approxi-
17 mately \$40,000.00 from the state and we recover regularly
18 more than \$120,000.00 a year for complainants.

19 The court system is another problem, lately the
20 supreme court decisions seem to be going against civil
21 rights enforcement. They're getting stricter and stricter
22 and have got to the point now where seniority systems can do
23 just about anything they please.

24 We have made several attempts to amend the act itself,
25 we would like to have provisions incorporating retaliation,

1 incorporating terms and conditions of employment, whereby
2 people have a broader basis to complain. It really does
3 very little good for a person now to have to stick out his
4 employment in misery until he's discharged and then wait nine
5 months for us to investigate his complaint. That does
6 either one of us very little good.

7 We had a bill before the legislature last session
8 that never got out of senate labor committee.

9 Another problem is basically complainant oriented and
10 that's that if a complaint does go to a hearing, the com-
11 plainant bears the burden of attorney's fees. Now, if you're
12 talking about a complaint and the only amount of back pay is,
13 say a \$1,000.00 or something like that, an attorney is very
14 hesitant to take it on a percentage basis.

15 If you have one that's going over \$12,000.00 or some-
16 thing like that, they'll consider it. But on a smaller
17 system or smaller fee, a complainant does have to find an
18 attorney, work with the attorney and they're very expensive.

19 Another thing that we would like to see added to our
20 act is the provision for attorney's fees, since the employer
21 almost always has an attorney there, and the actions of the
22 complainant are to have an attorney or represent himself or
23 herself.

24 This happened at our last hearing, the lady had a very
25 good case, she represented herself and lost. Basically the-

1 Basically those are the problems that we see. We
2 don't have any real problems conducting an investigation other
3 than sometimes we do have problems finding people a year
4 later.

5 As a suggestion, I would just like to say that we
6 would appreciate any kind of help that any community sponsored
7 organizations could give us in lobbying or anything else
8 to give us some more power.

9 THE MODERATOR: Thank you very much.

10 Our next speaker will be Sleeter Dover with the
11 Wyoming Department of Highways, Mr. Dover?

12
13
14 SLEETER DOVER

15
16 A (By Mr. Dover) Thank you.

17 When I came down here I had three options of things
18 I could talk about, first option was going to give an
19 explicit, concise explanation of the laws that we deal with
20 in the highway department.

21 Okay, Susan just did that so that kills option one.

22 My second option, I was going to give an elaborate
23 and concise explanation of the beautiful job we were doing
24 at the highway department in our equal opportunity status.

25 Now, Susan is with the Fair Employment Practices

1 Commission, she knows about our complaints, so there goes
2 option two.

3 I have one last option, and that's to tell the truth.

4 Wyoming Highway Department, EEO operations cover
5 just about the entire spectrum of civil rights that are
6 covered by the Title VI, VII and in some cases VIII. We
7 deal with 11 executive orders, 11246, 375, and so forth and
8 so on, Federal Aid Highway Act of 1973, recently the Railroad
9 Revalidation Act of 1973, 1976, I'm sorry, revitalization,
10 we're covered under the Omnibus Crime and Control Acts and
11 Safe Streets Acts of 1968, through the Wyoming Highway
12 Patrol and we're just about covered everywhere we go.

13 We have basically two operations, internal and
14 external. My concerns are internal. The external portion is
15 centered in the highway construction branch.

16 In 1964 the Civil Rights Act was passed and everybody
17 was exalted in jubilation. The problem was over. As a kid
18 in South Carolina in 1964, I remember very vividly the
19 gracious exaltation in my own household, but something
20 happened, something went wrong somewhere.

21 That exaltation turned to bittersweet.

22 As I progressed through my life, through my experiences
23 in college, coming out of college and seeking a job in South
24 Carolina, I knew that something was wrong somewhere. And I
25 know what that something is. It's people.

1 s People don't like people. Black people don't like
2 White people, White people don't like Black people, Chicanos
3 don't like White people, White people don't like Chicanos,
4 Chicanos don't like niggers, niggers don't like Chicanos,
5 Indians, you know, I come out west, I went to North Dakota
6 for two years with the air force, the Indian was the nigger
7 in North Dakota.

8 Come to Wyoming, the Chicano's the nigger in Wyoming.
9 Of course the nigger's a nigger everywhere.

10 So what are we doing about it in the highway department?
11 First thing we're doing, we cleaned up a very vicious
12 application form. When I first came in the highway depart-
13 ment two years ago, that had places for pictures, they asked
14 all kinds of wierd questions like do you attend church, you
15 know, how often do you attend church, what's the church you
16 belong to, what organizations do you belong to.

17 The problem, as I see it in this state, the big
18 problem is education. And by education I mean cultural
19 education.

20 I travel in the state quite often, I speak to various
21 employees organizations in the highway department, and I am
22 just absolutely shocked at some of the opinions that I hear.

23 Now, I don't necessarily disagree with them, I can
24 understand them, but I am just absolutely shocked at the
25 lack of sensitivity in this state toward different groups,

1 and particularly the American Indian.

2 I remember very vividly and I hope you'll bear with
3 me on some of these personal experiences, in the State of
4 North Dakota, one spring I think it was, just before
5 basketball season ended, they had a basketball tournament on
6 TV and my neighbors, I was over at my neighbor's watching
7 it and they had an Indian school in North Dakota playing,
8 they had, this team had advanced to the state finals.

9 And here I am sitting in my neighbor's house, Black
10 man from South Carolina, a White man from North Dakota, and
11 we're watching the ~~all-White~~ all-White basketball team
12 play an all-Indian basketball team. And these kids are
13 about 13, 14 years old.

14 And I have to listen to this man and his personal
15 opinions about Indians, so I -- I was a visitor in the
16 man's house so I just had to leave, but that, that
17 experience stayed with me.

18 Then I come to Wyoming, under the Omnibus and Crime
19 Control and Safe Streets Act in 1968, we have to form an
20 affirmative action plan for the Wyoming Highway Patrol, the
21 Center of Crime Prevention under LEAA and Marquette University
22 came out to help us with this. I was talking to a young,
23 well, a man employed there, a Dr. Witt, who used to be a
24 law enforcement officer, this man has a Ph.D., and he was
25 telling me of some of the changes that he had went through,

1 and I'd like to share that with you, too, if you'll just
2 bear with me. We got to get back to the business at hand
3 pretty soon.

4 Dr. Witt was telling me that when he first went
5 on law enforcement staff in, I think it was Detroit, they
6 had Black officers and White officers on there, and he'd
7 never really thought of the Black officers as having, you
8 know, families and wanting their kids to get an education,
9 going to church, going shopping, nothing, you know, that so-
10 called American family was interested in.

11 Obtaining property or maybe two cars, a station
12 wagon or a car.

13 And he told me that, you know, he just couldn't
14 believe that he, with a Ph.D., could do something like this.

15 And the point I'm trying to make to you is that some-
16 time a little selfinventory is necessary. You know, from
17 all of us, as EEO officers, there's a little selfinventory
18 is in order also.

19 I mean granted we -- we don't always agree, you
20 know, but let's try to look at the other guy's side too.

21 You know, and why the individual thinks as he does.

22 I went to an EEO conference in Portland last year, and
23 we spent two hours, two hours of that conference trying
24 to decide what an American Indian was, what a card-carrying
25 Indian was. And I've never been so embarrassed in all

1 my life. I -- we get bogged down too often in procedures.
2 The only thing I'm interested in is employment. Sometimes
3 training is necessary to achieve employment, but my goal
4 is employment.

5 Now, the EEOC and Sue and all of them, you know,
6 they're interested in employment also. And we start
7 talking about statistics here, you know, in the highway
8 department the minority percentage in the total labor
9 force in the highway department is 4%. In the labor force
10 in the state is 5.7%.

11 Okay, sexually, in the labor force in this state,
12 females are involved in 35% rate, in the highway department
13 we're at 12%. Okay, statistically we're looking pretty
14 good, particularly with minorities, Black.

15 Then again you go back and you look at the occupational
16 groups, here is where we get the problem. Most of the
17 minorities are centered in the service maintenance category,
18 you know, I'm not ashamed of that because it's like that
19 nationally. So I don't apologize for it. I stand accountable
20 for it, but I don't apologize for it because I didn't
21 create this situation, I'm trying to correct it.

22 But again, back to where I was, the point I'm trying
23 to make, that when a young man or young woman, whoever,
24 walks into my office looking for a job, you know they're
25 not interested in me giving them a long speech about our

1 percentage statistics and occupational groups, they want
2 a job. Man's got a family to support, that's all they're
3 interested in.

4 And I found out what this individual can do, and I
5 proceed to find him a job. I worry about balancing the
6 statistics sometime in the future. You know, one step at
7 a time.

8 The educational process is what I delved on the
9 first year on this job, and when I mean education I mean
10 educating managers and supervisors from the superintendent
11 to the night shift foreman, the custodians.

12 The majority, I'd say 30% of my time is spent just
13 talking with the managers and supervisors about Black people,
14 about Chicanos, about the American Indian, because there's
15 a tremendous gap, culturally, cultural awareness, in this
16 state. Of course I'm not just singling out this state, it's
17 everywhere.

18 And this I believe to be the root of the problem.

19 Okay. Some of the things we've done, under supportive
20 services contract with ~~SEI~~ ~~Jobs in Progress~~ and Ray
21 Quintana was here yesterday, this program is set up to
22 involve minorities in the construction industry.

23 What we do on every contract let to bid, involving
24 federal funds, a certain percentages of those employees are
25 going to have to be trainees.

1 We have two contracts, one with the AGC of Wyoming,
2 one with SER-Jobs in Progress. Mainly SER-Jobs in Progress
3 is concerned with minorities, AGC I would not like to even
4 take a guess at what they're interested in.

5 We've got some difficult problems with this program,
6 the biggest problem is the impact of the state. You know,
7 I get a call from a contractor up in Gillette that said I
8 need two truck drivers tomorrow, it's no problem, we can
9 get him two truckdrivers but we can't get them anywhere
10 to live. Got to live and eat once you get there. This is
11 our biggest problem.

12 Next problem we have is sometimes contractors don't
13 necessarily believe that the kind of individual we're
14 sending out is the kind of individual he wants, he wants
15 an apprentice mechanic, you know, he wants -- they want
16 individuals that we just don't have at SER and they know
17 this. Contractors know this.

18 The only thing they want to do is put it down on
19 their reporting form that they did indeed contact us so
20 they kind of have us over a barrel there. We're working
21 on this to try to figure out a way to get around it, how
22 to thwart this effort by contractors, you know. It's
23 always a cat and mouse game. And we do play games.

24 The only problem comes in is when they change the
25 rules on us.

1 In the highway department we recruit foremen for
2 one class of employees and that is civil engineers. During
3 our annual district meetings, I make a presentation on
4 EEO to every employee in the highway department, that's
5 about 1,800 people when we are at full force. And I was
6 beginning. And I was beginning to explain a little bit about
7 affirmative action when a recruit, and this is the way
8 I look at it. When I first came on the highway department
9 we recruited primarily at South Dakota School of Mines,
10 University of Wyoming, occasionally a couple of students in
11 Utah, okay, the chances of getting minority out of South
12 Dakota School of Mines, University of Wyoming and the UN
13 University of Utah, in civil engineering, is just about nil.

14 Okay, I had some very vivid explanations of minority
15 recruitment in the past explained to me, several individuals
16 in the personnel office had went back to Washington, D.C.,
17 Howard University, to try to recruit Black engineers. And
18 that's a noticeable effort.

19 Let me tell you a little something about how, at the
20 University of Washington, D.C., and that's as urban a
21 school as you'll ever find anywhere. And you walk into
22 Howard and say you're recruiting for Wyoming Highway Depart-
23 ment and everybody runs to a map. You know, where the
24 heck's Wyoming? That's overseas, it's international or
25 something.

1 So what I did, is I tried to bring the personnel
2 office back down to earth so we started recruiting at
3 some of the primarily rural Black colleges in the south
4 and southwest such as Alabama University in Huntsville,
5 Alabama, Prairie View A and M, in Prairie View, Texas,
6 right on the outskirts of Houston, Southern University
7 in Baton Rouge.

8 Now, those efforts haven't been glowingly successful,
9 we have recruited one Black civil engineer in two years.
10 Out of Alabama A. and M., but one's better than none.

11 Females. We have two civil engineer females. We
12 just lost one to EEO because they pay better but that's
13 the name of the game.

14 You know, get them in the system and then you get
15 mobile, and I don't feel bad about that.

16 The fear among our managers and supervisors with
17 females, particularly at the engineering level, is that
18 they're going to get married, follow their husband off
19 somewhere. Well, that's an opinion. Everybody's got one
20 of them. I don't necessarily agree.

21 From a technician level, females, mainly I'm
22 talking about a very interesting phenomenon, that came about
23 and it had nothing to do with my preaching about EEO. I'll
24 be honest about that.

25 I took a tour of the state districts in October and

1 I was absolutely surprised at the amount of technicians we
2 had working who were female. And I, you know, I kind of
3 patted myself on the back, we're doing a fantastic job
4 here, I'm getting the message through.

5 Hell, it had nothing to do with me. What had hap-
6 pened is all the men had went to the mines, we had to have
7 somebody to work. So there's all kinds of things that are
8 included in this employment picture.

9 I'm sure we're going to be -- summarize. I'm sure
10 we're going to be talking a little bit about affirmative
11 action here shortly. This is our affirmative action plan,
12 it's about an inch thick, it's in two sections, external
13 and internal.

14 I believe everything that we've got in there we do,
15 because I had a heck of a time getting the message to the
16 EHWA regional office in Denver that we were not going to
17 put any glowing examples of operations that we have that we
18 do not have in here.

19 Everything in there, we do. Some things we do more,
20 some we do less, but at some point in time we do it. And
21 I think it's been rather successful. I think our female
22 employment statistics have increased by 3% in the last year.
23 We started off at 9%, we're at 12%.

24 With minorities we started off at about three, now
25 we're up to four. We hovered around 3.8, 3.9, 3.4 -- yes,

1 I mean at four, depending on peak employment.

2 Something interesting about the hiring of females.
3 particularly.

4 Well, at any occupational grouping.

5 The problem I have with that is I don't have a prob-
6 lem getting the managers to hire females, but I've noticed
7 that we sure have an awful lot of good looking females coming
8 in. Really, you know. I mean it's just -- God, looks like
9 Vogue Magazine walking around there. And they happen to be
10 White females, Caucasian, very good looking. So I'm kind
11 of between a rock and a hard place there, I'm glad that
12 we're hiring females, you know, but I don't want to -- now
13 I don't want to come back in and say you can't hire a good
14 looking one, you know. There's some interesting things.

15 In summarization, I want to address this issue
16 before, you know, to let you know that I don't run from it,
17 and I don't run from it when I have my employees together
18 and talk with them.

19 And this is reverse discrimination. These red flags
20 issues. We do not have a reverse discrimination policy,
21 now we -- our affirmative action plan is not reverse
22 discrimination.

23 If recruiting at Alabama A and M, in Huntsville, or
24 Prairie View, is reverse discrimination, then recruiting at
25 South Dakota School of Mines and University of Wyoming is

1 reverse discrimination.

2 Thank you, I rest my case.

3 THE MODERATOR: Thank you.

4 I know that you can tell us much more about your
5 problems if we had more time and I'm really kind of sorry
6 that we don't.

7 Oralia?

8

9

10

ORALIA MERCADO

11

12 A. (By Ms. Mercado) Good morning.

13 Sleeter just took all my options.

14 Okay, I'm the Equal Employment Opportunity officer
15 for Employment Security Commission, which is based out of
16 Casper. Our office is the only state office in the
17 State of Wyoming which is based in Casper.

18 With the state administrative office for the unem-
19 ployment insurance, compensation division and that's
20 probably the division you hear more about than ESO services
21 or job service centers.

22 We have 16 job service centers throughout the State
23 of Wyoming, we have one part time job service center in
24 Jackson, which is primarily an unemployment insurance claims
25 taking center and we do run itinerant service to all of the

1 small communities outside, say for instance in Worland we
2 do run an itinerant once a week service to Thermopolis and
3 Basin and Greybull ~~so we~~ do cover the whole state.

4 And as far as my responsibility within the agency
5 is concerned, it's my responsibility to insure and to
6 enforce the equal employment opportunity laws within our
7 agency and to make sure that applicant, claimants and
8 employers receive equal services.

9 Actually, what I'm saying by that is that I make
10 sure that all job service centers in the state do comply
11 with the law and by that I mean some of the things that I
12 do to make sure that they are in compliance is do a com-
13 pliance review of each center at least once a year, and I
14 just started on our fiscal year '78 compliance reviews, I've
15 done two offices so far, and it makes it a really tight
16 schedule when you have to be gone from home one week out of
17 every month and four months out of the year you have to be
18 gone two weeks plus everything else that enters into
19 administering the equal employment opportunity program
20 within the agency in our office.

21 Like Sleeter's is directed by law to adhere to all
22 of the existing federal and state laws such as Title VI,
23 Title VII, the executive orders, 11246 and I'm not going to
24 pretend that I know all of these by numbers and by dates
25 because I've only been on this job for five months, so I am

1 busy trying to get some things done and running around the
2 state trying to do, to work with people more than I have
3 learning exactly when the laws were passed.

4 I realize what each one of them enforces and so forth,
5 but -- anyway, we also deal with the Age Discrimination
6 Act of 1967, the Rehabilitation Act of 1967 as amended,
7 and we also are required by law, since it's the enforcement
8 agency for Title VII in Wyoming's Fair Employment Practices
9 Commission, we do work a lot with fair employment practices
10 commission in Wyoming and we do have to adhere by that
11 law.

12 All of these laws, of course, prohibit discrimination
13 on the basis of race, color, creed, national origin,
14 religion and ancestry, handicapped status and those between
15 the age of 40 to 65.

16 And that's basically what my job involves.

17 I'd like to tell you a little bit about what kind of
18 things we have done within the agency and since June the
19 20th, when I've been on the job, one of the things that we
20 did do was establish the first affirmative action plan and
21 this sounds ironic because we deal with employment every
22 day.

23 And at least it was ironic to me because I would have
24 assumed that employment security commission had an affirmative
25 action plan, but in fact we didn't, and regional office

1 assured me that we weren't the only state, for the first
2 time in the history of employment security commission at
3 a regional level, we were required to submit an affirmative
4 action plan to the regional office.

5 And this is what our affirmative action plan looks
6 like, and it is a public document, one of the things that
7 I feel is necessary to enforce the policy within our
8 affirmative action plan is top level commitment, and within
9 our agency I feel I have the top level commitment by the
10 executive director.

11 We do have a statement signed by our executive
12 director in my position in the agency, and I really feel
13 this is important, is within the executive staff which
14 means that there is a jurisdiction over all of the other
15 operating divisions.

16 We do distribute the affirmative action plan to minority
17 groups, handicapped groups, female groups, and by dis-
18 tributing this I'm hoping to have some input from the grass
19 roots people, the total communities in the state, on what
20 they feel affirmative action should be doing for them, for
21 people they know.

22 And hopefully, it's not going to become just another
23 document that doesn't mean anything to anybody.

24 And when I wrote it I tried to write it in layman's
25 language which is really hard when you're dealing with

1 federal regulations.

2 We have, within our affirmative action plan, an
3 explanation of our complaint system for applicants and
4 claimants. Our complaint forms are printed both in English
5 and Spanish. And just recently I developed for each
6 person in the state what I called the flow chart, it's
7 something that everyone keeps at their desk and it's a flow
8 chart on EEO complaints, where to send the complaints, what
9 forms to use, because I find that, well, I found anyway
10 when I first came to work, that there was several enforce-
11 ment agencies that employment security commission has to
12 deal, therefore I thought, you know, that is really con-
13 fusing to me.

14 So I knew that it was confusing to people out in
15 the field so we developed the flow chart and the complaint
16 form so that they would know what to do when someone came
17 in and did have an employment complaint.

18 Another thing that we're trying to implement or
19 not trying, we have nationally implemented what we call a
20 PEER, which stands for programs of EEO reevaluation reports,
21 it's a computerized system by which we will evaluate our
22 centers, our job service centers, monthly rather than yearly,
23 and that's going to help me tremendously because I can now
24 do a desk compliance review and when I say desk compliance
25 review I'm talking about statistics.

1 And I know that we don't like to say that we get
2 into the numbers game, but that's what EEO is all about,
3 that's what affirmative action planning is about, sta-
4 tistics.

5 And that is going to be implemented by the end of
6 November.

7 Another thing that I do is train staff, either at a
8 local level or when they do come into our -- into the state
9 office for training, I go through a total package on EEO and
10 EEO compliance within our agency. And make them aware
11 that EEO is not my job, it's everybody job from the file
12 clerk on up, from the janitor, it's not something that I
13 myself can accomplish for the agency.

14 I really feel that everyone is responsible for equal
15 employment opportunity within our agency.

16 In my opinion, at the position that I have, it's
17 definitely not the most popular position in the agency.
18 If anything, you're on the firing line constantly, con-
19 tinuously, and I feel that if an equal employment officer
20 is doing his job, this is what he can expect.

21 Is that he is on the firing line or she is on the
22 firing line, I almost pulled a boo-boo there, and I feel
23 that when people stop putting me on the firing line, then
24 I've lost my effectiveness as the equal employment oppor-
25 tunity officer for the employment security commission.

1 Just recently, as far as I know, Sleeter and I are
2 the only ones in the state with major EEO responsibilities
3 who have established affirmative action plans. I may be
4 incorrect by saying this, I'm not sure, but just recently
5 we met with the state EEO coordinator and we're trying to
6 establish a statewide affirmative action plan for state
7 agencies which would cover any other state agency that is
8 not now covered by their own affirmative action plan.

9 And I don't think that either one of us are really
10 absolutely sure on how that's going to affect our affirmative
11 action plan since we have to deal with all kinds of regula-
12 tions, ~~we have to have ours approved~~ by the department. I have
13 to have mine approved by the department of labor, Sleeter
14 has a different department at regional level, who has to
15 approve his plan.

16 I'd like to just give you an idea of what kinds of
17 things have happened so far within our agency as far as appli-
18 cant flow. Last year or fiscal year '77, our statistics
19 revealed that by May 31st of 1977, that's a six-month
20 period of -- into the fiscal year, we had an applicant
21 flow into our offices in the state, 41,000 people who
22 came through our offices so that gives you an indication of
23 just how many people do use our services.

24 Of those, there were 4,533 minorities, and the
25 highest percentage of those were Chicanos or Hispanics.

1 There were nearly 3,000.

2 In Blacks, 600. American Indians, 900. And I'm
3 rounding these off. And when I compared the placement
4 ratio of these applicants in their job placements, I found
5 that our biggest lack, so to speak, was placing those in
6 the ages between 40 to 65 and the handicapped people as
7 compared to the total applicant group, and as a benchmark,
8 I do use the total applicant group.

9 When I do compliance reviews I do use the White male
10 as a benchmark. In other words, I compare all of my
11 figures by the services we have provided to the White male.
12 We have also made a commitment for fiscal year '78 as
13 to what type of placement services we're going to give to
14 people within our agency and that's also included in the
15 affirmative action plan.

16 Within our agency there are 269 employees, 94% of
17 these are nonminority White, point five percent are Black,
18 four percent -- four point five percent are Hispanics and
19 in comparison to the labor force in Wyoming, 4% of
20 Wyoming's labor force in Hispanic group is Chicano.

21 Well, 4% of the labor force in Wyoming is Chicano.
22 And we have 4.5, four and a half percent.

23 The area where we're lacking there is point three
24 percent. And actually, in the labor force as Sleeter
25 mentioned, the labor force in Wyoming is 35% female; within

1 ESC, 58% of our employees are female.

2 I would like to give you an idea where minorities
3 are within our agency. 70.5% of all minorities within
4 the agency are at a professional or above level. 11.7%
5 are in the paraprofessional technical level, 11.7% are
6 in clerical positions and the remaining 6% are in main-
7 tenance positions.

8 Females, we're really lacking in administrative
9 management positions. Minorities are also lacking in those
10 positions and those are the areas that I address more
11 heavily in the affirmative action plan as far as what kinds
12 of things we're going to be doing.

13 My contention is okay, we do have the opportunities
14 in some way, if we're given an opportunity as minorities and
15 females, I think it goes further than just being given an
16 opportunity, I think that we as minorities and females
17 have to be not afraid to put our foot out and do -- do some-
18 thing.

19 I don't think it's a one-sided affair, I think it's
20 a two-sided affair, and if you're not afraid, I think that
21 has a lot to do with it.

22 Thank you.

23 THE MODERATOR: Thank you.

24 We have about nine minutes left if you have any
25 questions, anyone in the audience that you would like to

1 direct to any member of the panel? Now is the time.

2 Yes?

3 For the record, would you please state your name,
4 where you live?

5 Q (By Ms. Kaufholz) My name is Vicki Kaufholz, what's
6 the other one?

7 THE MODERATOR: Your residence.

8 Q Residence Cheyenne.

9 And I wanted to ask Oralia, if she has done any
10 studies on the aptitude test that the employment service
11 gives?

12 A (By Ms. Mercado) No, I haven't, because I don't
13 have the authority to do that. That's done at a national
14 level, we're constantly evaluating the aptitude test and
15 validating that test with national standards, in other
16 words, we're testing minority groups and nonminority groups
17 in the same test and trying to compare.

18 In other words, trying to validate the types of
19 tests we can use or can not use.

20 We can not use some tests, well, the aptitude test
21 for some occupations.

22 Q Well, does the state still use the Couder (Phonetic),
23 the Couder Aptitude Test?

24 A I'm not really sure. I don't think so.

25 Q Okay. I guess I would like to have the name and

1 address of the person in your agency who would be -- who
2 would want to be active in investigating the test and
3 seeing if they do discriminate in any way, because I have
4 been told that they do use Couder and that depending on
5 whether you're male or female, how you answer the questions
6 will put you in different categories.

7 A Okay, what you're talking about is the Couder
8 Preference Test, which identifies areas of interest more
9 than it does aptitudes.

10 Q Right.

11 A And you know if a female is interested in a certain
12 occupation, that's going to show up in a Couder test, and
13 if a female is interested in other occupations that are
14 nontraditional or a female is interested in nontraditional
15 jobs, that's going to show up in the Couder Preference
16 Test.

17 I don't know that there would be some discrimination,
18 but the person who would know more about testing would be
19 our counseling supervisor in the state and that would be
20 Mr. Barry Smith, and I can give you his address.

21 I don't know how active he would be in trying to
22 change things but if you'd like, I would certainly be
23 interested in helping establish something if you're having
24 some problems with it.

25 Q Okay, thanks.

1 THE MODERATOR: Yes?

2 Please identify yourself?

3 Q (By Ms. Rodriguez) Since no one knows me I'm Juana
4 Rodriguez from Cheyenne.

5 I'm interested particularly in affirmative action
6 plan in conjunction with education, and I was hoping that
7 Gerry Brown would show up because he has statistics on
8 job service center here in Cheyenne showing that there is
9 a definite underemployment rate of people in the state.

10 My question would be, how can you affect a change at
11 a job service center along with affirmative action tied
12 into the educational system so that we have changes in the
13 educational system that will also ultimately result in
14 higher placed jobs for minorities and women.

15 THE MODERATOR: I think anyone on the panel?

16 Q Anyone, right.

17 A (By Mr. Dover) I'll give you just one instance of
18 something we're trying to do at the highway department.

19 In a technician series we've got all those people at
20 LCCC and we want them to compare the kind of technician
21 jobs we've got with the kind of curriculum they've got in
22 the technician field and we want to make some matches and
23 hopefully at the LCCC point, minority enrollment out there
24 will triple through a relevant technician curriculum geared
25 to what's going on at the highway department and the kind of

1 of jobs we've got, and I think that's sort of the thing
2 you're talking about.

3 That's just one thing.

4 THE MODERATOR: You might suggest that instead of
5 using acronyms or initials for these various agencies and
6 programs that are referred to, if you'd just give us the
7 full name so the Court Reporter will have it in the record.
8 Otherwise he's going to have to dig it out later on and makes
9 it a little more difficult for him.

10 Bill, you said you had some questions?

11 MR. LEVIS: Yes, speaking of that --

12 THE MODERATOR: Would you identify yourself for the
13 record?

14 MR. LEVIS: No, he knows me.

15 Q (By Mr. Levis) Sleeter, you're talking about, is
16 it HEV or ADC, there's an organization you mentioned?

17 A (By Mr. Dover) LCCC, Laramie County Community
18 College.

19 Q No, before, when you were making your presentation
20 you were talking about something, AGC or ADC?

21 A Oh, yes, association of general contractors.

22 Q The other thing you talked about recruitment efforts
23 that were going on for Chicanos and Blacks, I just wondered
24 what kind of efforts you're doing for Native Americans in
25 the state?

1 A Yes, we attend yearly, the annual job fair at the
2 Indian reservation. We've tried this in the past and tried
3 it last year, I work with Phillip Smith up there, he's in the
4 job assistance office at the Indian reservation.

5 The problem we've had and the problem, you know,
6 this is, I know this is from first hand, from my last visit
7 up there, since I interviewed quite a few people, but the
8 interest was in the local level and we do have an office
9 in Lander and one in Riverton, but the problem those
10 offices that we have people who have been employed there
11 for 20 years and maybe there for 20 more, so the, you know,
12 the availability of vacancies is such in those two areas,
13 if we get some mobile people who are interested in
14 traveling throughout the state, we can probably do some
15 accommodations.

16 Q Susan, what kind of cooperation have you had with
17 EEOC? Equal employment opportunity commission?

18 A (By Ms. Dowler) I'm not sure what you mean by
19 cooperation. First of all they give us money which we
20 appreciate very much. Through the money we were able to
21 have the compliance officer at all.

22 Basically, you know, the only thing that we ask
23 from the equal employment opportunity commission is for
24 information on our data sharing agreement that employers
25 might refuse to provide for us and it's easier to get it

1 from them than subpoena it.

2 Basically we get to complaints before they do so
3 actually all they do on the contract is come up and review
4 our complaints and we do have a very good acceptance
5 rate so I'd call that cooperation.

6 And also they do provide training when new court
7 decisions and things like that come out.

8 They do, one of the coordinators will come up and
9 make sure we understand EEOC's position on them.

10 We get position papers from them and things like that.

11 THE MODERATOR: Dave Scott.

12 Susan, your commission is a policing force for the
13 Wyoming Fair Employment Practices Act, is that correct?

14 A Right.

15 THE MODERATOR: And you have, as I understood your
16 remarks, you have two, how many employees do you have?

17 A We have a director, a compliance officer and a
18 secretary.

19 THE MODERATOR: So three people are supposed to police
20 this act for the entire state, is that correct?

21 A Yes.

22 THE MODERATOR: And you have a budget of what,
23 \$40,000.00 from the state?

24 A Yes, then that's augmented by equal employment
25 opportunity funds.

1 THE MODERATOR: Okay, thank you.

2 Q (By Ms. Coykendall) Leona Coykendall, Fort Washakie.

3 Susan, on this, you said something about not having
4 an advocate or legal help for people that have claims
5 against, unfair employment? Okay, is there any chance that,
6 for example an Indian, is there any chance that he could
7 get help from the legal aid services?

8 A Certainly there aren't any -- there isn't any legal
9 help available through the equal employment, the fair
10 employment commission, I do know people that have gone to
11 American Civil Liberties Union, they have gone to legal aid
12 and they have received an attorney.

13 You do have to meet their criteria, but yes, a com-
14 plainant can go to those agencies.

15 Q Another question for, well, it isn't a question
16 but it's more like, can -- can anything be done about com-
17 piling a bank of Indian skilled workers' names and putting
18 it in the central locations so that employers throughout
19 the state can check into this or like a round-robin,
20 pull out a name if they need someone?

21 Because I know that we have skilled workers, they
22 have got -- they have been able to get training in the
23 Indian schools, Worland, you know, an institution where
24 they send a lot of our Indian boys or other minorities,
25 they do, they are trained so isn't there any way that these

1 people's names can be put into a bank?

2 A (By Mr. Dover) Well, speaking for the highway
3 department, I'd certainly love to have those names. I've
4 initiated a skills bank for minorities at this point,
5 already employed at the department, and one for females,
6 and I agree with you, there are some skilled people, American
7 Indians, I talked to a young man up there, baccalaureate
8 degree in business administration but quite interestingly
9 enough he wanted to drive a snowplow. I don't know why,
10 but --

11 THE MODERATOR: Pays better.

12 Q (By Ms. Coykendall) Do you think it's because
13 they're afraid of competition?

14 A I have no idea and I wouldn't want to try to pre-
15 sume why, you know.

16 We had a -- we recruited an American Indian young
17 man, out of our technician school, drafting school in
18 Denver. He came up, his interest was in truck driving, you
19 know, I used to transport him back and forth to work when
20 his car broken down and we just talked in general, and he
21 was interested in truck driving. You know, I -- I think
22 some of the problem lies, you know, I'm not being critical,
23 this is just an observation of mine.

24 Some of the problems lie with the BIA, in putting
25 people in training programs that they are definitely not

1 interested in. You know. Maybe that's where the break-
2 down is.

3 This young man that went to drafting school but his
4 interest was in truck driving. This other young man went
5 to college, received a degree in business administration
6 but his interest was heavy equipment. So I don't know
7 where the breakdown is.

8 THE MODERATOR: Well, I want to thank each of the
9 panelists for the time that they spent in preparing for
10 this session and for their participation.

11 I'm going to, with the consent of Bill, change our
12 morning schedule a little bit. It's 10:15 now and I
13 suggest that we take a coffee break now rather than at
14 11:15, and we will resume the next session on employment
15 as close to 10:30 as we can.

16 And I know that panelists will be available if any
17 of you wish to talk to them during the coffee break.

18
19 (Short recess)

20 (The following was moderated by Mr. David Scott)

21
22 THE MODERATOR: Ladies and Gentlemen, this will
23 be the second session on employment and our panelists are
24 Tom Bowman, with the Cheyenne Chamber of Commerce, Millard
25 Neal, with the office of federal contract compliance,

1 department of labor, and Monica Spellman, with the Colorado
2 Civil Rights Commission.

3 And I think we'll start off with Mr. Tom Bowman.

4 We are asking the speakers to try to limit their
5 remarks to approximately 15 minutes, we're short one panelist,
6 Mr. Neal's not here as yet, but we've got, we have 45
7 minutes for this session.

8 And if you run over a few minutes, that's fine with
9 us and if we think you're going too long we'll send you a
10 note.

11 It's not an invitation to lunch.

12
13
14 TOM BOWMAN

15
16 A (By Mr. Bowman) I have about four hours of material,
17 nobody's prepared for that, though, I don't think.

18 It's very nice to be invited to appear here today.
19 And I wear several hats within the community. I'm very
20 acquainted with exactly what this conference is all about.

21 I might point out in testimony that the former
22 federal communications commission chairman, Mr. Wylie,
23 made a comment, and he said allow me to point out the federal
24 communications commission continues to be the first and
25 the only regulatory agency that has placed equal employment

1 opportunity responsibilities on its licensees.

2 I own a radio station and that is our first and
3 foremost responsibility. Under the equal employment
4 opportunity model program that we have to submit and I might
5 point out that that took over half the time that was re-
6 quired for our license renewal this time instead of just a
7 few minutes as it has in the past, a general policy of the
8 statement of how we offer the responsibility for implemen-
9 tation, policy dissemination, recruitment, training, avail-
10 ability surveys, current employment survey, job hires,
11 promotion, and effectiveness evaluation are the portions
12 of our model EEO program.

13 That took approximately two and a half weeks
14 measured in time and money, it's a very, very expensive
15 portion of the FCC rules and regulations.

16 I might point out that the civil rights commission
17 has commented adversely on the FCC enforcement of its
18 equal employment opportunity rules as well, because of
19 the very difficult nature of ascertaining equal employment.

20 As president of the Greater Cheyenne Chamber of
21 Commerce, I contacted my fellow board members who are quite
22 representative of the community and employment within the
23 community, and asked them to give me a very short reply to
24 three questions.

25 Question number 1, what problems has your business

1 experienced with civil rights laws. And if it's all right
2 with you, I would like to go back and recap. what some of
3 the replies were from some of the business people within
4 our community.

5 Please keep in mind that our minority status in
6 Cheyenne, I believe, is broken down in the following
7 manner. Women comprise 51% of the population, Blacks,
8 1.69%, Oriental, .004%, American Indian, .002%, Spanish
9 surnamed, 7.84%. Are the figures that we have for Laramie
10 County.

11 First comment, and we get from one of our business
12 people, most civil rights cases are harassment with no
13 discrimination involved. Cases should be screened to
14 eliminate those. As processing is time consuming and costly.

15 No guidelines were available for hiring the handi-
16 capped. We need specifics as they relate to each job.
17 Discrimination takes itself in very many forms as I think
18 we all know.

19 Another quote, we feel that they are being used, we
20 talk about civil rights laws, basically for harassment by
21 disgruntled applicants or former employees. We do not
22 discriminate in our hiring practices.

23 Another quote, we have been tested on many occasions
24 to see if we will employ minority persons. After putting
25 these persons through our testing and interviewing procedures

1 and hiring a number of them, they never show up for work.

2 This can be documented.

3 I believe it's entirely too easy for an employee to
4 file a labor complaint against an employer for no justifi-
5 fiable reason and require the employer to defend his
6 position when there is no merit to the complaint whatsoever.

7 Giving the employee the ability to harass the busi-
8 ness and accrue unnecessary expenses of defense.

9 Another statement, reporting procedures are voluminous
10 for small businesses, the reports require an excessive
11 amount of time and expense and their value is questionable.

12 I did not write that one, however I would almost
13 concur.

14 The time and money spent on programs could best be
15 spent on programs to insure equality. More emphasis placed
16 on paper work and reports than results.

17 Proper attitude of management is the most effective.

18 They report they've had no problem with civil rights
19 laws except we have seen the problems that the Mountain
20 Bell has, as a result of inexperienced people doing jobs
21 they weren't qualified to do.

22 One such job cost us \$900.00 for their mistake.

23 I, personally, looked into that and I did find that
24 to be the case. I've experienced similar situations.

25 Extremely slow handling of complaints, and you might

1 take note of this, state questionnaire was received on a
2 complaint, was returned by the employer on January ~~the~~ 66th
3 of this year, along with supporting information.

4 A letter reply from the Wyoming Compliance Officer
5 that the complaint had been assigned to her, she would be in
6 contact in the, quote, near future, that reply came about
7 a week and a half ago, on November 1st, almost 11 months
8 later.

9 That is a problem when it comes to, civil rights
10 laws. Who are they written for? Who do they protect?

11 The next question on the replies, what recommendations
12 do you have for improving fair employment laws in Wyoming.

13 First one says have experienced no great amount of
14 difficulty. The second one and several said none. One
15 area, need literature and employer education.

16 The laws we have now are adequate, implement them.
17 I have a great deal of -- of a great deal of concern, I
18 think, as to a lot of individuals.

19 There should be some cost to the complainant when an
20 unjustified charge is made or the employer should be
21 offered the same, quote, free legal counsel.

22 Many times lawyers are the greatest beneficiaries of
23 any litigation. Not necessarily the individual on either
24 side of the question. The lawyers are the ones who are
25 the greatest beneficiary of all.

1 It said the laws surely should be written to make
2 clear that some qualifications should exist for jobs
3 other than sex or race and we're talking about qualified
4 people looking for employment.

5 We had an employment concern that said that the
6 laws should treat businesses as innocent until proven
7 otherwise.

8 Complaints without merit should be handled expeditiously,
9 the staff should be fair and unbiased.

10 What recommendations do you have for improving
11 employment education practices in the state? Several
12 said none. Teach young people these things, reading,
13 writing and arithmetic, basically, and the principle that
14 a person must work for a living, there are no free lunches.

15 I think it's very strange that we meet today on
16 Veterans Day, if there was ever an equal employment opportunity
17 it was in the military, which I'm very sorry that
18 the draft does not exist today.

19 I felt that the greatest basic education, basic area
20 of learning responsibility and most basic understanding of
21 the work ethic was gained by the impressionable group that
22 is now in the job market without a lot of these qualifications.
23 Either understanding for the need to be able to read,
24 write and spell, for them to understand the work ethic or
25 to understand responsibility.

1 The best training ground for that came through
2 the military and the draft.

3 I feel there's a lot of very misdirected individuals
4 in the job market today. I think a lot of us who employ
5 individuals find how unqualified they are even for the most
6 basic educational procedure. And individual spends a lot
7 of time in on-the-job training. But if you haven't got the
8 basic qualifications to read the instruction sheets, to
9 compute your own paycheck, then you start out at a tre-
10 mendous loss.

11 I think the educational system is quite fair in this
12 community, I think it's quite fair and the opportunities
13 exist.

14 From a state level and putting on another hat at
15 this point as a board member of Laramie County Community
16 College, I think the answer is basically in vocational
17 training, with also a requirement that a testing program
18 be set up perhaps the third, sixth, ninth and senior high
19 levels, for basic educational background. That should be a
20 basic requirement that when they finish high school, that
21 it's not just a diploma saying that their attendance has
22 been good, they should be able to do certain things and do
23 them at a very basic level.

24 The states probably could help the individuals for
25 which this conference is concerned about by pressing for

1 additional vocational programs, working with the community
2 colleges where most of these programs are presented. When
3 the legislature convenes, it's been our experience that we
4 have presented something like 13 programs two years ago
5 and our expended budget at the community college, three
6 of which were approved.

7 We're going in for eight programs this year. We'll
8 be lucky to get two of those approved. We're in danger of
9 losing our mix of our 50:50 academic and vocational, our
10 contact hours right now are at 50:50.

11 The actual students is 60:40, and we have a tendency
12 to move the other way because it's easier to take care of
13 the college preparatory student.

14 If you want to prepare individuals for the real world
15 of work, the best place to do that is in a vocational a
16 environment. We have it here, and the support for additional
17 vocational programs would be very helpful, if you're really
18 interested in taking care of the people who need the work.

19 It's probably done more to solve part of our unemploy-
20 ment problem in the community, according to Edith Howard,
21 than any other single factor that's happened in Cheyenne in
22 some time.

23 The mechanism is here, I think our best bet is to use
24 it. I think everyone is looking for people who want to work,
25 who are qualified to work, who have a work attitude and have

1 some basic background, education.

2 I could go on, I have several other things but I'll
3 let someone else on the panel speak at this time.

4 I do have another item which we could talk about but
5 that's all I have to say at this point.

6 THE MODERATOR: We might have some extra time. And
7 thank you, Mr. Bowman.

8 At this time we'll call on Mr. Neal, Mr. Neal, you've
9 already been introduced.

10

11

12

MILLARD NEAL

13 A (By Mr. Neal) Oh, very well, thank you.

14 I don't know if I need a microphone because my
15 voice is rather bombastic anyway.

16 I apologize for being late but in driving a govern-
17 ment, U.S. Government Biotronics just not the most powerful
18 means of getting from Denver to Cheyenne.

19 I appreciate the opportunity to come and talk with
20 you this morning on what our office does. First of all
21 I'm -- let me give you some idea of where we are. We are
22 located, my office is located, is in the department of
23 labor. It is in the employment standards administration.

24 The employment standards administration includes
25 four different programs at the present time. The office of

1 workmen's compensation, is in employment standards, the
2 women's bureau, the wage and hour division, and my office,
3 the office of federal contract compliance programs.

4 Of course our main leader, that is in labor, is Ray
5 Marhsall, and the assistant secretary for employment
6 standards is Mr. Donald Ellisberg, and we, the four
7 offices that I just mentioned to you are under the direct
8 direction of Mr. Ellisberg.

9 The office of federal contract compliance programs has
10 ten regional offices. In each of those offices, there are
11 three programs which I will, I think as the area that you
12 want me to focus on this morning.

13 One of the programs is the Executive Order 11246 pro-
14 gram, which seeks to gain affirmative action from govern-
15 ment contractors for minority and female persons.

16 I will come back to that and explain some more about
17 it.

18 Another of the programs is the handicapped program.
19 It relates to handicapped persons and the affirmative acts
20 that government contractors again are required to make to
21 hire and advance in employment handicapped persons..

22 The third program is the veterans program, which is
23 oriented toward disabled and Viet Nam era veterans, affirma-
24 tive action.

25 Now, may I back up, then, and explain what each of

1 these, a little more in depth what each of these programs
2 is intended to do.

3 The Executive Order 11246 program, as I said, for
4 minority and female persons focuses on contract compliance
5 by government contractors.

6 Of course, then we have really two sectors of the
7 employment, employment that we are concerned with, we're
8 concerned with construction-type employment, and we're
9 also concerned with what we encompass as supply and service-
10 type government contractors, either they provide some
11 service or they are -- provide some supplies type of --
12 types to the federal government.

13 Supply and service, then, generally refers to
14 established businesses as IBM or Martin Marietta or Sears,
15 etcetera. A construction, of course, is related just to
16 that, any construction, whether it's highway, building or
17 whatever.

18 In enforcing the order, the executive order was
19 issued in September of 1965. President Johnson was
20 responsible for the many-toothed affirmative-type action
21 that is afforded by Executive Order 11246.

22 Under that order any contractor that does -- that
23 can be proven to have practiced any form of discrimination,
24 in applicants or during the course of employment, the
25 contract can, unless that type of discrimination is corrected,

1 the contract can be removed and the contractor disbarred
2 from government contracts.

3 Now, you might say that that's not significant or --
4 and to put it another way, to give you the significance of
5 that, of the 300 -- of the three million contractors in
6 the United States, about half of them are in one way or
7 another government contractors, so we're talking about a
8 very large sector of the American economy.

9 The present structure of the Executive Order 11246
10 program and the need to get compliance or to exact com-
11 pliance from that many contractors required, at that time,
12 that all of the major government agencies be given, let's
13 say a piece of the pie, in the sense that the department
14 of interior has an office of -- office for equal oppor-
15 tunity, the general services administration has a field
16 contract compliance division, the department of defense
17 has a responsibility for enforcement of the contract
18 compliance provisions.

19 Our office, the office of federal contract compliance,
20 being directly in the labor department and directly re-
21 sponsible for the implementation of the order, oversees
22 the actions and the compliance functions carried out by the
23 agencies to whom certain responsibilities have been dele-
24 gated.

25 As such, all of -- in supply and service sector,

1 all of the contractors will eventually be reviewed on site
2 at that installation, at each installation, to determine
3 the affirmative action that is taking place at that
4 facility. Under the executive order program the con-
5 tractors are required to set goals for minority and female
6 persons. Goals have been taken to mean so many things,
7 but they, let me dispel the fact or the statement of
8 goals as quotas.

9 A quota is, just for an informal definition, something that is
10 required, something you must do regardless of your busi-
11 ness activities, whereas goals are those places we wish
12 to go.

13 In establishing goals, then, for minorities and
14 females, the contractor is required to realistically
15 look at his work force, to realistically analyze and
16 search through the activities of previous years, and
17 establish goals, establish amounts of input of minority
18 and female persons which he sees as realistic and
19 reasonable.

20 In conducting contract compliance reviews, then,
21 this is one of the things that the compliance specialist
22 will look for, to what extent does the -- does the -- or
23 has the contractor met previous goals.

24 The other consideration, and all of this is brief,
25 is to determine the utilization of minority and female

1 persons in each contractor's work force.

2 In capsule, that is what we do in the Executive
3 Order 11246 program.

4 Addressing, briefly, the veterans program, the
5 veterans program is the act for the veterans program is
6 section 402 of the 1974. It addresses itself to disabled
7 veterans and to veterans of the Viet Nam era. Any con-
8 tractor with a government contract of \$10,000.00 or more
9 is required to have an affirmative action program and to
10 state in that program that he will not, in any way, dis-
11 criminate against disabled veterans or veterans of the
12 Viet Nam era.

13 He must also state, or also state that he will make
14 reasonable accommodations to accommodate the disability of a
15 disabled veteran.

16 Another onus on the government contractor in regard
17 to veterans is that any government contractor with that
18 \$10,000.00 minimum contract must list all of his jobs, all
19 vacancies, with the state employment service. I

20 I might add at this point, that the veterans program,
21 like the handicapped, which I'll talk about in a moment, is
22 complaint oriented. Any veteran who feels that he has been
23 discriminated against can, within 180 days, file a complaint
24 with the state employment service, the veterans employment
25 representative, at the state employment service, the

1 department of labor, our office, has staff to investigate each
2 such complaint that we receive.

3 Now, as the third program, the handicapped program,
4 is a very extensive and very heart warming type of program,
5 I've worked in it some myself, although I work mostly
6 in the Executive Order 11246 program, but the handicapped
7 program is designed to encourage affirmative action to
8 employ handicapped persons.

9 The dollar value or the floor value for responsi-
10 bility under the Rehabilitation Act of 1973 is \$2,500.00.
11 Any contractor, therefore, any government contractor with
12 a contract of \$2,500.00 or more is required to act affirma-
13 tively to employ handicapped persons. A handicap is
14 defined as a condition which substantially limits one or
15 more of the major life activities of a person. The person
16 may be handicapped, may feel himself to be handicapped or
17 he may be regarded to be handicapped, in either case he's
18 considered under the Rehabilitation Act of 1973.

19 Now, when I say regarded to be handicapped, let me
20 give you an example of that. A person may have had a heart
21 attack in 1973, and he may wish to, in 1977, get a job as
22 a guard. The employer may say that this person is not
23 qualified for the job or that he's taking some unusual risk
24 by employing that person.

25 Such a person, if he's denied the job on that basis,

1 would have been discriminated against because not that he
2 had a handicap necessarily, but because he was regarded as
3 having a handicap.

4 So the handicapped program covers that type of
5 activity.

6 The government contractor is required, therefore,
7 as in the case of the veterans, to make reasonable accomo-
8 dations to accomodate the handicapped person. Now, in both
9 cases of course, the person must be otherwise qualified.
10 But reasonable accomodations refers to those things that a
11 contractor can do to make an otherwise unavailable job,
12 available to a handicapped person.

13 I don't know the extent here to which you wish or
14 the detail you wish to go into this. I could go on and on.
15 But rather what I've done is to bring some -- with me, some
16 pocket-sized type information on, this is on the veterans
17 program, I have some on the handicapped program, as well
18 as the 11246 program, and I'll cut off here, hoping that
19 if I haven't made myself clear, there will be a period
20 where we, you can ask your questions and I'll be very happy
21 to entertain them.

22 THE MODERATOR: You have a broad field to discuss
23 and it's pretty hard to even touch the highlights in 15
24 minutes. But I hope we'll have some extra time.

25 Monica Spellman? Would you benefit us with your

1 experience?

2
3
4 MONICA SPELLMAN

5 A. (By Ms. Spellman) Thank you.

6 I have kind of a special reason for thanking you
7 for inviting me to speak today, not only do I work as the
8 community relations director for the Colorado Civil Rights
9 Commission and in that capacity I'm very interested in civil
10 and human rights, and of course we believe as anybody does,
11 I'm sure that you don't draw a border around civil and
12 human rights, we don't stop at the Colorado-Wyoming line
13 when we're asked to assist someone.

14 But as a native of Wyoming and someone who was born,
15 raised and educated here, I'm -- and always will be, I'm
16 sure, very specially interested in Wyoming's problems
17 and advancement in the areas of civil rights.

18 Mr. Levis has asked me to give you a little informa-
19 tion about the Colorado Civil Rights Commission and how
20 we handle and deal with some of the problems that Susan
21 spoke of because they are the same, regardless of what
22 state you live in.

23 And then I'm not so sure I'm going to be able to re-
24 frain from responding to some of my copanelists' remarks.

25 The Colorado Civil Rights Commission has been in

1 existence as an official agency for 20 years this year.
2 We, this year we have a budget from the state of about
3 \$500,000.00 and an additional \$200,000.00, a little bit
4 more, from EEOC and then an additional \$250,000.00 from the
5 department of housing and urban development to handle a
6 special project.

7 We employ about 45 to 50 civil rights staffers.
8 Depending on how many CETA people or full staff or vacancies
9 that we have.

10 We handle approximately 2,500 cases of alleged dis-
11 crimination a year. Of those 2,500 complaints, about 30%
12 are either dismissed or closed administratively. Most
13 people immediately assume that those are the people that
14 really didn't have any grounds, those complaints were
15 groundless.

16 That's not true. Many of them are cases where the
17 complainant has moved away after the long delay in handling
18 his complaint, he's no longer interested in processing it.
19 Where the respondent has gone out of business and the com-
20 plainant decides not to pursue the case because couldn't
21 get a job back or get any back pay anyway.

22 And some of them are cases where there is no evidence
23 of discrimination.

24 Another third of our cases are deferred to the EEOC,
25 under a similar contract that we have with them, that Susan

1 mentioned earlier. The reason they're deferred to EEOC is
2 either because their laws, being broader, can cover more
3 cases, in other cases it's because they're involved in a
4 class action complaint against a large employer and we
5 feel that our complainant could be better served through
6 EEOC rather than through the civil rights commission.

7 The other third of our cases are settled, mostly
8 to the satisfaction, surprisingly, of both the complainant
9 and the respondent. That always surprises me when I talk
10 to groups of businessmen and of employers that there is
11 so much division between civil rights and the other side,
12 because when you really start looking at it, business or
13 employers and civil rights workers really are asking the
14 same things.

15 A lot of the things that the civil rights commissions
16 demand and request of employers are nothing more than good
17 business practice. Accurate job descriptions, good record
18 keeping, fair employment practices, none of which are
19 designed to hinder or be detrimental to someone's business,
20 to his making profit, doing the work he's supposed to do.

21 To get back to the Colorado Civil Rights Commission,
22 like Susan pointed out, we face similar problems just on
23 a little bit broader scale because we have more people in
24 Colorado. We've been at the civil rights field for a few
25 more years, and we're hoping through sharing information

1 with the Wyoming FEPC that we can help you maybe avoid
2 some of the pitfalls we've stumbled into and are having
3 a really hard time getting out of.

4 Our courts, over the past four years, have just been
5 slashing away at the civil rights of people in Colorado.
6 State employees which number between 35 and 50,000 in
7 Colorado no longer have the protection of the civil rights
8 commission.

9 They are discriminated against by the state depart-
10 ment of personnel ultimately and it is that same state
11 department of personnel which rules on their cases.
12 Causing a few problems.

13 Our civil rights commission no longer has the authority
14 to file class action complaints, in cases where we feel
15 that an entire class or group of people such a women or
16 Chicanos or Blacks or Indians are being discriminated
17 against.

18 We don't really know the specific reasons for the
19 court decisions in these areas other than there was a lack
20 of public outcry when somebody's civil rights are violated.

21 We seem a little bit more concerned about environ-
22 mental aspects today than we do about civil rights and as
23 long as the people are not hollering and writing letters
24 to their legislators the courts and the legislators are
25 free to concern themselves with other issues and to even

1 damage areas like civil rights law without any repercussions,
2 without the loss of their job or, you know, not being
3 elected the next year.

4 Some of the suggestions that, and some of the things
5 we've learned that may be of help to people in Wyoming,
6 are specially concern me in my position as community
7 relations coordinator. Four or five years ago, and even
8 as recently as a couple years ago, I guess, the communities
9 that I worked with were the Black community, the Chicano
10 community, the female community, the Indian community.

11 When you say community relations coordinator for
12 civil rights, people automatically assume you're working with
13 NAACP, you're working with SER, today we've found that
14 community has changed and that the community we're most
15 interested in working with now are the business community,
16 the employers, the landlords, the property owners, the
17 people who own bars, discoteques, the school boards, the
18 superintendents, the principals, the teachers, they're the
19 people who are really in need of our expertise and the
20 awareness that we can give them.

21 Minority and female communities today are much more
22 aware of their civil rights than they have been in the past.
23 They're much more willing to go forward and file complaints
24 even though it may mean a long drawn out process.

25 It's the business communities and the teachers, the

1 other groups that I mentioned, that need to learn that we
2 are not trying to cause trouble, we're not advocating
3 dissent and harassment, we are simply trying to make the
4 American dream a reality for everybody, not just for the White
5 male club.

6 To this end, we've instituted a couple of new pro-
7 cedures on our commission that we're hoping are going to
8 have marvelous effects. It's too soon to tell. One of
9 these unfortunately is called the ERP process, ERP standing
10 for expedited resolution process.

11 This came about for two reasons, one, the frustration
12 and the unhappiness and the big staff turnover we had as
13 a result of the time lag. We don't have a nine-month
14 backlog like Wyoming does, we have right now a three to
15 four-month backlog.

16 We have about 1,250 cases open, and only about 50
17 to 60 are actually being worked on at any one time. And
18 we receive comments like Mr. Bowman made, my gosh, now
19 this complaint was filed three months ago or six months
20 ago or a year ago, you're just now getting around to it?

21 You know, you people are really causing me distress
22 in my business, having to now go back and dig up all the
23 papers.

24 Through the ERP process, then, what we do is before
25 any work is done in investigating a complaint, we invite

1 the respondent, the owner of the business or the landlord
2 or whoever is involved, and the complainant into our office
3 to sit down at a table with a staff person who's been
4 trained in mediating to talk about the complaint.

5 If they want to bring evidence or witnesses, that's
6 fine, if they want to bring an attorney, that's fine, none
7 of that is required, it's just a simple one to two-hour
8 conference. Let's talk over our differences.

9 So far, amazingly enough, we're delighted to say about
10 70% of the cases that have been through the ERP process have
11 been settled satisfactorily, the differences cleared up,
12 some kind of resolution received whether it's a receiving
13 a job back or getting a promotion or getting some back pay
14 or the withdrawal of a complaint when that complaint was
15 groundless.

16 So we're hoping that if we can institute ERP
17 successfully on a full time scale, we will be able to
18 clear up the backlog that's always hanging over the heads
19 of civil rights workers, and turn our expertise and our
20 efforts and our hours into talking to more groups of people,
21 into doing more awareness training, for the education
22 system and the realtors groups and the chambers of commerce,
23 and that -- that's really where it's at.

24 That's stopping the problem before it's started.

25 Civil rights right now is in the position of putting out

1 fireess that probably could have been avoided in the
2 beginning, it's just time constraints and the money con-
3 straints get in the way and when you've got like Susan
4 pointed out, 140 cases waiting to be investigated, you have
5 to question how your time is best spent, investigating
6 somebody's complaint when they've been waiting for nine
7 months or going out and talking to a group of people, and
8 unfortunately it's usually the investigations that win out.

9 So, like I said, we're hoping to start an educational
10 process and kind of clean up some of this. And we would,
11 and I speak for my director as well as the rest of our
12 staff and our commission, welcome any pleas for help that
13 the Wyoming FEPC has or any other groups, we're more than
14 happy to invite you down to our training sessions or our
15 awareness sessions and time and money being what they are,
16 within the limits available to us we're glad to travel to
17 Wyoming to assist in awareness training sessions, briefings,
18 things like that.

19 The only thing I would like to add right now and
20 I'd be glad to answer any questions you might have, is I
21 just can't resist commenting about the remarks about the
22 military. And that is that although vocational training
23 in the military and things like that do provide an oppor-
24 tunity to achieve some kind of training, some kind of
25 stability, some kind of job, a paycheck, something to do with

1 your life, for a certain group of people, the military has
2 not ever been an option for women, and has, to a very,
3 very limited degree, been an option for achieving success
4 for minority people.

5 . You can count the number of top ranking female
6 military people on a couple of fingers and you can count
7 the top ranking Black and Chicano and Indians on the rest
8 of that hand's fingers, and as for the training provided in
9 the military, while it's not invalid and in vocational
10 schools, while it's not invalid, well, it's certainly
11 a valuable and adds a great thing to the economic structure
12 of our country, you don't achieve the American dream of
13 owning your own business or making it big and having fleets
14 of Mercedes in the driveway and swimming pools in the back
15 yard through vocational training.

16 While there's nothing wrong with working in a vocational
17 area like that, there is something wrong with it when that
18 particular area of the job market is open to Blacks, to
19 Chicanos and to women, and to Indians, and the higher
20 education that can lead you to the top management, top
21 decision level positions are open to the White men.

22 So feel free to comment if you'd like, I just had
23 to say that.

24 THE MODERATOR: Another generation heard from.

25 We have quite a bit of time, approximately 20 minutes,

1 and I'm going to take, exercise a prerogative, being
2 coordinator, to ask Mr. Neal a question. It's not so much
3 a question but -- you're talking about reasonable accomo-
4 dations to make a job available for handicapped people,
5 could you give us a couple of examples so that we can have
6 some understanding about what that term means?

7 A. (By Mr. Neal) Okay. In abstract it's difficult to
8 do that. But I understand what you mean and let me try it.

9 In many jobs, the -- for the extremely handicapped
10 person, I'm sorry, let me just restate that.

11 A severely handicapped person who can, let's say for
12 example only move certain limbs very short distances, if a
13 particular job requires that you move a lever or move a pedal
14 or something of that kind, what extensions, what revisions
15 can be done to make that job open and available, accomodatable
16 to a handicapped person?

17 Another area, another thing we might consider is,
18 can this job be restructured? Can I take some of the re-
19 sponsibilities of another position and put them with the one
20 I wish to provide the handicapped and remove some of the
21 jobs, some of the responsibilities for the handicapped
22 person to the other person.

23 It's a matter of restructuring or -- and that's the
24 kind of thing that I'm -- I have in mind. I hope that makes
25 it clear.

1 The contractor, however, is not required to do what
2 makes his business opportunities jeopardized or cause
3 undue hardship on his conduct of business. So reasonable
4 accomodation, I think, means, have you done what you could
5 do to get this handicapped person a job?

6 THE MODERATOR: Thank you.

7 We have a gentleman on the floor?

8 Q (By Mr. Dover) Sleeter Dover, EEO officer, highway
9 department.

10 I have two questions. One for Mr. Bowman, the
11 other I suppose could be a plea for help from Mr. Neal.

12 : First of all, Mr. Bowman, I'm very interested in your
13 interest in qualifications. I was just wondering what has
14 the Cheyenne Chamber of Commerce done to look into quali-
15 fications, just what do you mean by qualifications and put
16 some standardization throughout your organization and its
17 members as to what qualifications are indeed needed validly
18 to be employed in any organization in your -- in the chamber
19 of commerce?

20 A (By Mr. Bowman) I don't represent basically the
21 chamber of commerce or its hiring practices as far as the
22 chamber. I'm not -- I'm not here to talk of the chamber
23 of commerce as an organization. What I have done is to
24 poll the membership of the chamber, I'm not an expert in
25 civil rights, I'm not in that particular area, but I am in

1 the people business.

2 And what I do bring are the comments, of which I
3 was asked to present as part of this panel, as to what
4 experience have you had with civil rights laws, what
5 recommendations do you have, what about education. Each
6 one of the businesses that are a part of the Cheyenne
7 Chamber of Commerce, as any other business, has basic quali-
8 fications for every job as they do in the highway depart-
9 ment or anywhere else.

10 Certain people have to be able to run a transit,
11 others have to be able to read blueprints. But for the
12 very basic jobs, there are certain basic job qualifications.
13 No two are the same.

14 You know, I mean, really, this really comes down to
15 basically being qualified. I think the problem that we
16 have as employers, and I've talked with a lot of them, is
17 that many of the young people are coming to us, they have
18 a high school diploma, but yet they can't read to an eighth
19 grade level, they can't spell, they can't do basic math.

20 These are the things that are bothering me. And it
21 bothers very much the individual who takes an application
22 form and as you know, the application forms now contain
23 less information about an individual than before, so what
24 do you have except to say yes, we have a position, now what
25 can you do?

1 It's very difficult, to be very honest with you,
2 to find, and are you talking about the high school graduate,
3 the young people, what are you concerned about as far as
4 basic qualifications?

5 I don't follow you quite on that.

6 Q Well, I'm talking about, you know, if you got a job
7 opening and you say people are not meeting the qualifications
8 then what are the qualifications that you're talking about,
9 maybe your qualifications are too high, maybe you've got
10 unnecessary qualifications for jobs.

11 In other words, if you got a salesman's job, and
12 you've got qualifications for an administrator for that job,
13 then obviously nobody's going to meet the qualifications
14 for it.

15 A I think most jobs have --

16 THE MODERATOR: Let me ask a question here, I think
17 maybe I can clarify this.

18 Are you asking Mr. Bowman whether or not the chamber
19 itself has set up qualifications for certain jobs that are
20 available in this community?

21 Q (ByyMr. Dover) I'm asking has the chamber con-
22 sidered doing something like this. I've dealt --

23 THE MODERATOR: That's what I thought you were asking
24 and I think that's the area that he wants you to comment
25 on as president of the chamber, whether or not the chamber

1 has engaged in an activity of this nature, trying to set up
2 job classifications for various jobs that are available
3 in the community. I don't think you have.

4 A Absolutely not. Right, and I don't think that's
5 the chamber's role at all.

6 Q (By Mr. Dover) Thanks.

7 Mr. Neal, as EEO officer, for the highway department
8 I'm talking about services involved in federal aid --

9 A (By Mr. Neal) I didn't understand that.

10 Q Services provided consulting firms. Since we began
11 conducting compliance reviews, on engineering or consulting
12 firms, particularly in the State of Wyoming, I am somewhat
13 shocked that the consultants within this state, that is
14 they say have never heard of Executive Order 11246, Title
15 VI, so forth and so on.

16 We share some of the blame for this, but also some of
17 these consulting firms do business with the federal govern-
18 ment, so I was wondering what could the OFCCP do or what
19 have you done or are you considering doing anything about
20 bringing some awareness to some of these people?

21 A That's good. First of all we -- I haven't mentioned
22 that our office has the responsibility over six states,
23 Colorado, Utah, Montana, North and South Dakota and Wyoming.
24 As in any office, or I think most offices would say
25 I'm not sufficiently staffed, and so that's a copout.

1 I won't use that one on you. But there has been some
2 significant activity in the State of Wyoming in the supply
3 and service sector and in construction.

4 I'm sure, though, that everyone has not heard of
5 Executive Order 11246, there are contractors out here that
6 are still not being reviewed. Their opportunities for
7 minorities and women is still not being made available to
8 them. And I wouldn't dare to try to suggest to you that
9 we are not aware of that.

10 But we are constantly working, trying to get that
11 kind of visibility.

12 One of the reasons why we participate in this kind
13 of activity, and are happy to participate, is so that we
14 can give out information and say there is an office that
15 handles handicapped persons in this region, or there is a
16 place I can go with a complaint, as a veteran, or there is
17 a place I can go because I, as a female they won't let me
18 into the carpenter's union, you see.

19 I think these kinds of things, and with the -- with
20 using your hands to, and mine, will disseminate this a
21 lot faster than we can do it directly from our office.

22 I -- before I finish, then, I would like to say that
23 I have complaint forms for handicapped and veterans, for
24 filing handicapped and veterans complaints. I hope that you,
25 if in your various functions or just being in the community,

1 will take one so that if you know of a person who -- who's
2 discriminated against because of a handicap, you can provide
3 it.

4 In the civil rights area, with minorities and
5 females, if you just see that the person, address a letter
6 to our office, we can see that they get the right complaint
7 forms, etcetera.

8 I'm not skirting your question, I think I've
9 answered your question by saying I know it's not as
10 visible, and I know that there are people that are still
11 getting by, I know there are a lot of government dollars
12 that are being used in Wyoming that have been untapped and
13 have been -- that there is no compliance activity on. There
14 is some type of, I don't know exactly what it is, but I
15 believe it's either something involved in military, coming
16 across, that's being constructed and coming across Wyoming,
17 I don't have just what it is right in my mind right now.

18 But this, we are aware of it and we are trying to
19 gear up to get to look at that project, because I under-
20 stand it's going to be an on-going thing and there's
21 several million dollars of government money going into it.

22 I hate to be so vague about it but I just can't
23 recall what it is, do you know what I mean?

24 Q I think you're talking about the modernization of the
25 ICBM's.

1 A That's what I'm talking about, that's what I'm
2 talking about, yes, and I don't know very much about it
3 but we are about to get started on it, hopefully, to do
4 something with it.

5 So, where we haven't shored up our sides, we are
6 always trying to, and we need input from the community,
7 from the Cheyenne community particularly, to help us gain
8 an awareness of what's going on.

9 THE MODERATOR: Susan?

10 Q (By Ms. Dowler) Dowler. I just have a response to
11 Mr. Bowman, and I'm not sure if you were here earlier,
12 but I was really glad to hear that we had the same problems
13 in the Wyoming Fair Employment Commission.

14 There isn't any point of repeating the problems, I
15 think we both touched on them. I'd just like to suggest that
16 in your, perhaps you take your response and get in contact
17 with our director and then ask us to come to the chamber
18 and we can certainly, and explain our position more and
19 work over at the center.

20 THE MODERATOR: Thank you.

21 Bill?

22 Q (By Mr. Levis) I'd just like to make a couple
23 points.. Mr. Scott asked about the handicapped and
24 specifically what has been done to make reasonable accomo-
25 dation. We heard last week there were two things could

1 easily be done, maybe I'll just bring to your attention,
2 one is for blind persons who are dealing with figures,
3 there's always the talking calculator, which we heard
4 last week, which is a fascinating device, that is every
5 time you push a button and add and subtract it tells you.
6 what the amount is, so now blind persons can work in book-
7 keeping and things such as that and that isn't a very
8 expensive thing that could be done.

9 As far as persons who have difficulty using a tele-
10 phone there's always the speaker phone which can be used
11 and that's a simple thing that can be done for persons in
12 wheelchairs who can not use such phones.

13 As far as the veterans program, there is now litiga-
14 tion in the courts and also there is a move afoot in
15 Congress to revise the veterans preference, first of all
16 to make it only applicable in initial employment, and also
17 there's a case which was first in Massachusetts and then
18 in the U.S. Circuit Court and I think is going up to the
19 Supreme Court, which indicated that until just a couple of
20 years ago, there was a limit on the percentage of women in
21 the military. It was 2%.

22 So, therefore, it was obvious that the veterans
23 preference discriminated across the board against women.

24 Also until recently, of course, there was discrimina-
25 tion in the military based on race, and this case may be

1 going to the Supreme Court to determine whether veterans
2 preference overall is discriminatory against women.

3 And the Massachusetts court held that it was, the
4 court of appeals held that it was not. As far as some other

5 As far as some other areas, Monica, I wonder if you'd
6 tell a little bit about the National Association of Human
7 Rights Workers, Rocky Mountain Chapter, as long as you're
8 here, since it does include Wyoming?

9 A (By Ms. Spellman) The National Association of
10 Human Rights Workers, Rocky Mountain Chapter, unfortunately
11 consists of people primarily in the human rights field in
12 Denver.

13 We're very interested in the next couple months of
14 expanding and holding meetings in other areas in the Rocky
15 Mountain area which is kind of loosely defined, we have
16 one member from Nebraska and a few members from southern
17 Colorado, but the national association tells us we're
18 certainly open to recruit in Wyoming and in other Rocky
19 Mountain states.

20 Basically the association, the acronym for which
21 is NAHRW based on a previous name, is a support group.
22 Everybody that works in human rights, whether they're in
23 affirmative action, EEO programs or mental health work or
24 social services or the hard core civil rights compliance
25 areas, share a lot of the same frustrations, the same

1 problems, and before we can go out and provide awareness
2 training and sensitivity training to our public and our
3 communities we really need to increase our own awareness,
4 and sensitivity, to broaden our own scope.

5 So the NAHRW group attempts to provide the peer
6 group support, to provide the types of educational pro-
7 grams, increased education, and in some cases even to advo-
8 cate stances on certain problems that we're facing.

9 We recently in Denver, completed a very intensive
10 program on the problems that Nevada women are facing and
11 are right now writing briefs and doing a little lobbying
12 in that area. But we would be very delighted to hear from
13 any of you in the human rights area that are interested
14 in NAHRW and would be most interested in possibly helping you
15 set up a chapter here or inviting you to join our chapter
16 in Denver and planning on holding some meetings in the
17 Cheyenne and maybe even Casper area.

18 So if you're interested at all in NAHRW and you'd
19 like to give me your name and address, I'll be glad to
20 send you some information or talk to you about it.

21 THE MODERATOR: Thank you.

22 MR. NEAL: May I add --

23 THE MODERATOR: I think we have one more question.
24 We're just about out of time.

25 Q (By Ms. Holcomb) My name is Betty Chavez Holcomb, and

1 I'm from Rawlins and I'd like to address this question to
2 Mr. Bowman.

3 Has the Cheyenne Chamber of Commerce ever considered
4 or is -- or are they currently considering the possibility
5 of having sessions to raise chamber members' awareness of
6 minority groups in the Cheyenne area? Are they interested
7 in promoting minority businesses?

8 And have they done anything in that area? And if
9 you've never thought about it before, then I've planted the
10 seed, perhaps, in your mind, is it something that you could
11 take back to the chamber and want to initiate?

12 A. (By Mr. Bowman) I say that's a very many-faceted
13 program. In our Industrial Development Association of
14 Cheyenne has assisted in the establishment of many of the
15 new industries in Cheyenne, would work with anyone, I
16 think, who was interested in providing an industry for
17 employment.

18 A lot of the employment that has happened has come
19 as a result of the Industrial Development Association of
20 Cheyenne, which is a branch of the Greater Cheyenne Chamber
21 of Commerce.

22 And most new industry that has located here has
23 worked with the IDAC group for a portion of their funding,
24 plant location and things of that nature.

25 I don't think it would be any problem at all for

1 them to work with any, even a minority-owned group, to
2 establish employment.

3 As far as the chamber is concerned, when it comes
4 to information, that's one of the reasons I'm here today
5 as a matter of fact, is to get an additional input as to
6 what's going on. I have a feeling that many of our chamber
7 members, I think it's indicated, none of the things I
8 said were really mine, this came from individual comments
9 that we had in a letter form that went out to several people.

10 I think that it is somewhat of a one-way street when
11 it comes to the civil rights law and the understanding of
12 such, the small businessman, which is 90% of the Greater
13 Cheyenne Chamber of Commerce, does not have a legal staff,
14 it does not have a personnel director who is up on the
15 latest civil rights information, they do not have some of
16 the facilities or access to information that many of you
17 here in the room have.

18 And I think that somehow, as was stated in here,
19 what would you recommend, is that perhaps instead of
20 language written in the federal register, that perhaps in
21 plain, simple English, that everyone can understand, without
22 a lawyer looking over your shoulder, that you could have
23 a basic understanding of the hiring practices and it would
24 go out to John Q. Employer.

25 I think that where the greatest area of misunderstanding

1 is, is there too many people telling the other guy that this
2 happened to him, they get information secondhand and it
3 goes on and on and on.

4 The chamber would be a perfect way of dissemination.
5 We do not represent every business in Cheyenne or Laramie
6 County, but we do represent a high enough percentage that
7 I think this type of information could be sent out.

8 I think that's basically what it comes down to is
9 communication. I think those problems in hiring or firing
10 are basically a communication problem.

11 THE MODERATOR: I take it you think the chamber
12 might be interested in setting up some meetings so that
13 this information could be discussed?

14 A. We have them set upon a monthly basis on our state
15 and national affairs committee, so I think it could be
16 disseminated that way.

17 THE MODERATOR: Mr. Neal, I think you wanted to
18 say something?

19 A. (By Mr. Neal) Yes, one point. The economic
20 development administration, which is a part of the depart-
21 ment of commerce, is now in the process of letting grants,
22 etcetera, for -- to the various states for, in an effort to
23 boost employment, etcetera.

24 I understand from that that at least 30 million
25 dollars is going to each state. Economic development

1 administration requires that 10% of that contract dollar
2 be set aside for minority contractors. I think in that
3 way, there's going to be a significant or some increase in
4 the involvement of minority contractors if they get into
5 the process to bid and to -- and to try to involve themselves
6 and get some of that money.

7 I'd like to see them do it.

8 My other brief point is that rather than, since I
9 had to say one thing negatively we don't know everything
10 that's going on, I'll say this, that's positive, we're
11 very proud in Colorado to have significantly increased
12 the number of females -- number of women in crafts. There
13 is a good participation, not what we'd like to see but a
14 good participation of women in all of the -- not all of the
15 25 crafts but most of the 25 crafts utilized in Colorado.

16 We have also gotten goals from those crafts to
17 increase the number of women in the various union locals.

18 I know we have them in glaziers, I know we have them
19 in sheetmetal work and that kind of thing. So we're
20 very proud of that.

21 THE MODERATOR: Thank you.

22 One more question, then we'll have to cut this.

23 Q (By Ms. Johnson) Well, since I was going to ask Mr.
24 Bowman a couple questions, but I'll ask him later.

25 My name is Alberta Johnson.

1 I was going to ask you about the 10% requirement
2 for minority contractors. Well, in Wyoming, in Monday's
3 paper, the Associated General Contractors of Wyoming had
4 filed suit against two cities in Wyoming to stop them
5 from giving the 10% requirement to minority contractors,
6 and their contention is that it is reverse discrimination.
7 And I'd like you to comment on that.

8 A. (By Mr. Neal) First of all --

9 A. (By Mr. Bowman) Mr. Neal, I have some further
10 information on that, here's the article out of the paper
11 if you'd like to see it.

12 A. (By Mr. Neal) My basic understanding of what you
13 said is that the association of general contractors has
14 filed a suit claiming reverse discrimination because of
15 the 10% set aside of EEA --

16 Q Yes, and the suits were against Laramie and Rock
17 Springs?

18 A. (By Mr. Bowman) Riverton.

19 Q Riverton and Rock Springs.

20 A. (By Mr. Neal) Let me put it this way. I don't
21 think that there's -- I think it's a condition in the --
22 to getting the money, either -- and I don't want to speak
23 too firmly on this because it's not my first job, but my
24 understanding of it is that it is a 30 million dollar --
25 it's a minimum of 30 million dollars to each state and that

1 EDA has a responsibility to see that 10% of that money
2 goes to minority contractors. So it's not a matter of --
3 I mean you can challenge the law of course, but you can
4 also decline the money, the state can also decline the
5 money, so that no one gets it.

6 MR. BOWMAN: Alberta, could I add one other thing?

7 Q No, let me finish, I have something else so I won't
8 lose my train of thinking.

9 I wanted to ask, in that set aside, seeing why
10 there are not very many minority contractors. And they
11 are not -- and those that there are aren't very large and
12 what I wanted to know is the minority contractors have a
13 great deal of trouble getting bonded, they have a great
14 deal of trouble getting bank loans, so that they have up
15 front money before they bid on a contract, they have some
16 other problems involved in the -- in trying to bid for
17 contracts, and in that -- and it's not going to do any good
18 just to set the money aside if it's a minority contractor,
19 then, is unable to bid on the contract.

20 And what I want to know is does the department of
21 commerce or the department of labor have any kinds of
22 programs to aid minority contractors so that they can bid
23 on the contracts?

24 A (By Mr. Neal) Well, right now I don't know of the
25 programs that they have. However, to respond to one of the

1 things that you said earlier, I don't believe that the
2 minority contractors are going to necessarily have to come
3 from the state in which they are working.

4 I believe, I have a booklet here of minority
5 businesses in the State of Colorado. I believe this is --
6 no, this is a region eight. So this will -- I'll be very
7 happy to give you this so that you can have some idea of
8 who is in Wyoming that are minority contractors.

9 Now, it's true that minority contractors probably
10 don't have the expertise that the nonminorities do, in
11 Colorado there are various things being done to try to
12 develop that expertise, and that is through, well, I don't
13 know exactly how it's being done, but the bids, as long as
14 the contractors bid and as long as there's a 10% set aside,
15 I think that we are going to be able to see that the
16 minority contractors get that share of the money.

17 I would hope so. I'd be glad for you to take this.
18 Q Okay, but if they don't bid, naturally they don't
19 get the money.

20 THE MODERATOR: I hate to interrupt but we are
21 running late and perhaps you could talk to Mr. Neal about
22 this and I'm sure that whatever information he has he'll
23 be glad to give to you.

24 In fact, he has brought up some material that we'll
25 put out on the table, he referred to the complaint forms,

1 he has some other informational material, it will be out
2 there and feel free to help yourself.

3 At this time I want to thank all of the panelists
4 for the work that they did in preparing for this session
5 and I regret that we don't have more time for each of the
6 sections but we just don't.

7 It's my privilege now, to turn my position over to
8 Juana for the section on women's rights. And I think
9 we'll just go right into it because of time limitation
10 without taking a break.

11
12 (The following was moderated by Ms. Juana Rodriguez)

13
14 THE MODERATOR: Ladies and Gentlemen, shall we start
15 with our last panel for the morning?

16 And this is on women's rights. My name is Juana
17 Rodriguez, I'm moderator, to my left is Meredith Morrow,
18 Wyoming Commission for Women, and our guest speaker, Laurie
19 Brooke Seidenberg, called in and has laryngitis so she is
20 unable to make her presentation.

21 But I would like to say that we -- she is the
22 author of the Legal Status of Homemakers in Wyoming and
23 that publication is available out at the table out in the
24 foyer.

25 Today we have with us, to fill in at the last minute,

1 but she is very qualified, Oralia Mercado of the -- well,
2 shall I introduce you again as employment security or just
3 a community member, I guess, to address some of the areas
4 of concern for women as far as she knows exist in Casper.

5 MS. MERCADO: Okay, can I answer that? Since I did
6 start working on the women's rights thing before I took
7 the job with equal employment officer for employment security
8 commission, I'd like to just be referred to as someone in
9 the women's movement in Wyoming.

10 THE MODERATOR: Thank you.

11 Then let's start, I would like to have Meredith Morrow,
12 Wyoming Commission for Women, start our panel discussion.

13
14
15 MEREDITH MORROW

16
17 A (By Ms. Morrow) When you start talking about women's
18 rights, it really entails a large, broad area. And in listen-
19 ing to the speakers yesterday when they first started, and
20 in the prepared speeches that you have in your kits, I
21 notice that there is great emphasis on the ~~equality state~~.

22 Most of us in Wyoming are very proud of being the
23 ~~equality state~~, but let's really look at it. We became a
24 territory in 1869, the first Wyoming Territorial Legislature
25 passed the Equal Pay for Equal Work Law that dealt mainly

1 with teachers, but there's very little evidence that it was
2 ever implemented.

3 The right of married women to hold property in their
4 own right was also passed by the legislature, but the woman
5 was not allowed to sell it without her husband's per-
6 mission.

7 Also, Wyoming was one of the first places in the
8 world to have, to give women the right to vote and also
9 to hold political or appointive offices.

10 Now, there were three women appointed as justices
11 of the peace, none of them served very long, Esther Morris,
12 whom most of you know, served for a period of eight months.

13 In 1870 and 1871 there was the first female jury in
14 the world convened in Laramie. In 1871 there was a change
15 in the judges and women would no longer serve on juries
16 until 1892. And in 1892 some women served on juries in
17 Douglas, they had a specific case concerning, as they
18 were called at the time, Soiled Doves, so the judge thought
19 it proper that there be a woman jury serve at this
20 particular time.

21 Women did not again serve on juries in the State of
22 Wyoming until 1950. Now, when women received the right to
23 vote in the State of Wyoming, in 1873 there was an equality
24 congress held in the state, women came in on -- by buggy
25 and so forth through the State of Wyoming to attend this

1 equality congress.

2 They formed what was known as the Women's Party. And
3 they nominated some women for political office. And there
4 was a lot of women there with a lot of enthusiasm, but
5 you know how isolated it is in the State of Wyoming,
6 especially we're talking about 1873, the women went home
7 with a bunch of enthusiasm but forgot to get out on election
8 day.

9 So none of the women were elected, in fact in the
10 first 20 years after the suffrage was passed, two women
11 ran for political office, neither of whom won.

12 Right now we have the second highest elective office
13 in the State of Wyoming is held by a woman, that's the
14 secretary of state, we have one woman in the state senate
15 and six women in the house of representatives and yet we
16 still do make up 51% of the population.

17 We are the largest minority. Our

18 Our state constitution says lots of nice things.
19 Article 1, section 2, says in their inherent right to life,
20 liberty and the pursuit of happiness all members of the human
21 race are equal. Because it's in writing, therefore you don't
22 have to do anything else.

23 Article 1, section 3, is the article that gives us
24 the right to hold political office and appointive office.

25 Nellie Taylor Rose was the first governor elected,

1 female governor elected.

2 In the 1950's, most of the women's organizations
3 had become statewide in Wyoming, such as the League of
4 Women Voters, business and professional women, ZANTA,
5 federated women's clubs, but they had their own little
6 organizations and there wasn't that much communication be-
7 tween all the different women's groups.

8 In 1960, there was a law passed, the background on
9 it is very interesting. U.S. Steel was starting to build
10 a plant out in South Pass, and we were dealing with women
11 in employment, so a law was passed by the Wyoming Legis-
12 lature that women who worked -- could work over eight
13 hours a day, prior to that time they could not, but they
14 were to be paid time and a half for overtime.

15 But what the legislature did not realize in their
16 wisdom was that there was no law on the books saying that
17 men would be paid time and a half for overtime.

18 So therefore, it was discrimination against women
19 because if an employer can hire a man and work him ten
20 hours a day at straight time, why should he hire a woman
21 when he has to pay her time and a half for the extra two
22 hours?

23 But that has been corrected in the 1977 legislature.

24 Our commission was established in 1965 as a
25 governor's commission by the then-Governor Hanson. There

1 were 35 members on the original commission, both women and
2 men. And there was no money involved except what little
3 we could get for some publications, all of the commission
4 members traveled at their own expense.

5 In 1969, we did become statutory, the legislature
6 said yes, we really do need a Wyoming Commission on the
7 Status of Women, but you've done very well without any
8 money, so we really don't think we'll appropriate any at
9 this time.

10 And all of the commission members again footed the
11 bill for everything.

12 We did very well as a matter of fact, when we
13 originally created in 1965, we had some women on the
14 commission who were very good at raising funds from these
15 different women's organizations, and they managed to get
16 us a kitty of \$800.00.

17 In the years between 1965 and 1971, we had spent
18 \$400.00 of that \$800.00. So we were very frugal in our
19 efforts.

20 In 1971, we were funded by the legislature for the
21 first time. Now let me tell you what's happened since
22 then.

23 Between 1971 and 1973, we held seven seminars
24 throughout the State of Wyoming, one of them in Casper as
25 was geared specifically for employers, to acquaint them with

1 the EEO regulations that were just coming out. There are
2 over a 100 employers and other people in attendance at
3 this meeting, it cost them \$10.00 for the day, which we
4 thought was a very reasonable fee, and it was the first
5 time anything like this had been done in the State of
6 Wyoming. It was very successful.

7 It started David Garcia's office having a few more
8 calls concerning EEO in the State of Wyoming. The other
9 six seminars were held specifically for women, and dealt
10 in the four areas of our charge by the legislature.

11 We are charged by the legislature to focus attention
12 upon, you know we have a lot of power, legal rights and
13 responsibilities, educational opportunities for women in
14 the State of Wyoming, home and community, and employment.

15 It covers all aspects of women. So we had these
16 seminars and dealt mainly in these four areas.

17 And they did receive very good response from the
18 communities in which they were held.

19 In 1975, which I'm sure you're aware, was International
20 Women's Year, we held the second equality congress here in
21 Cheyenne. We didn't pass any resolutions, because we had
22 received a grant from the legislature for \$5,000.00 which
23 was half of the amount of money we needed to run the
24 conference and the other half came from the humanities
25 council, and giving us a total of \$10,000.00 for the three-day

1 conference.

2 But in the humanities grants that you have, one of
3 the stipulations is that you do not come away with any
4 resolutions or affirmative action-type of things from their
5 meetings. But it did work very well to raising the aware-
6 ness of the women who attended to different problem areas
7 of women.

8 Sexual assault for one, the equal rights amendment
9 for another, by the way Wyoming was one of the first states
10 to pass the equal rights amendment in 1972.

11 In 1977, there is a lot going on. During the legis-
12 lative session we did manage to pass a new sexual assault
13 law. And if this doesn't deal with women's rights, when most
14 of the sexual assaults, as I'm sure you are aware, are
15 against women, although there are parts of it that still
16 need refining, it's a lot better than the old law on the
17 books that had been there since 1890.

18 There was also a law passed concerning child abuse,
19 that is an excellent piece of legislation. But it's an
20 uphill fight when it comes to women's rights, it has come to
21 my attention within the last week that there is a movement
22 afoot in some areas of the state to repeal the new sexual
23 assault law before it's even been tried in the courts.

24 It took four years working with all of the women's
25 groups in the State of Wyoming, with attorneys, to come out

1 of the legislature with a good bill.

2 Married women still are not covered under the sexual
3 assault law, we do have the marital exception and I take
4 exception to this. But it takes awareness.

5 In 1977 Congress appropriated -- well, the money was
6 appropriated in 1976, Congress appropriated five million
7 dollars in observance of International Women's Year and also
8 International Women's Decade.

9 Of this, \$25,000.00 was given to the State of
10 Wyoming for an International Women's Year conference.
11 The Wyoming Commission for Women was the instrument through
12 which the money was appropriated because we started working
13 on this a year prior to this time.

14 This conference was held in Casper at which 600
15 Wyoming people attended. Out of this did come some reso-
16 lutions. 51 of them. And one of the resolutions says that
17 the Wyoming Commission for Women is charged with the imple-
18 mentation of the 51 resolutions, thank you very much.

19 These resolutions were also sent to Washington,
20 during the same period of time there were 54 other con-
21 ferences held throughout the United States. These resolu-
22 tions were combined and as a result of that, came the
23 national plan of action, and as most of you are aware, next
24 week we will be in Houston voting on the national plan of
25 action.

1 And these are dealing specifically with problem
2 areas of women. One of them being, let's get on with the
3 show and get the equal rights amendments passed.

4 In working with the Wyoming Commission for Women, it
5 feels as though I am not spread like a pancake, I am spread
6 like a crepe. Other things come out because of my involve-
7 ment with this in the area of drugs, alcohol and women's
8 health.

9 I find that there has been no specific research
10 done concerning women addicts. In talking with different
11 people who work in this area in the State of Wyoming, I
12 find that there are no specific programs for women addicts.
13 There are a lot of programs that are geared specifically
14 for individuals, which is very nice, but the counselors
15 who are treating the addicts have not received any specific
16 training in dealing with the special problems of the female
17 addict.

18 In the State of Wyoming, there has been one workshop
19 held, put out by the National Institute of Drug Abuse,
20 called Women in Treatment. And that is the only workshop
21 dealing specifically with the problems of women.

22 And in talking with people who are knowledgeable in
23 this area, I find that most of the female addicts have
24 dual addictions. They are addicted not only to alcohol, but
25 to drugs as well. Either amphetamines or barbiturates.

1 Most of the female addicts are what we call secret
2 addicts. A good many of these women are so secretive that
3 the rest of their family members are not even aware that
4 they are addicted.

5 Most of our rehabilitation centers are geared for
6 either alcohol abuse or drug abuse. Where does the person
7 with the dual addiction go? This is a problem.

8 The Wyoming Commission for Women has also, after a
9 year and a half, received a \$50,000.00 CETA grant to survey
10 the State of Wyoming and the barriers of employment to
11 women in the State of Wyoming. And I'm sorry that the
12 gentleman from SER is not here, because one of the job
13 applications to which he referred that requires a bachelor's
14 degree happens to be the position of director for the CETA
15 program. And women are a minority, and we do have women
16 with master's degrees and bachelor's degrees who qualify at
17 poverty level, who have been unemployed for 15 out of the
18 last 20 weeks.

19 And I'm sure that Oralia can explain this further
20 because she's known -- knows more about SER than I do.

21 Another area that is becoming well known and informa-
22 tion is becoming available for the first time, when you
23 talk about women's problems and women's rights, we find that
24 there's been very little research done in any areas that
25 concern mainly women, 90% of the domestic assaults in this

1 country are against women. This is an area that has to be
2 explored.

3 The only area that I am aware of at the present
4 time where there is under plan to set up a women in crisis
5 center in the State of Wyoming is in Rock Springs. There
6 is a new YWCA and they are looking into the possibilities
7 of setting up a women in crisis center.

8 Domestic assault is a problem throughout the United
9 States, it is a problem in Wyoming. For too many years
10 women who have been abused have kept their mouths shut.
11 Whether it came to sexual assault or physical assault, they
12 have kept it to themselves because this is what our culture
13 said. Oh, it must be your fault. Don't you say anything
14 to anybody.

15 And even if they did say something to somebody, they
16 were told, hey, that's your problem.

17 Now women are beginning to say, no, it takes more
18 than one to have this problem. It takes a minimum of two.
19 And I need help. Where can I go for help? No, it is
20 not my fault. And it's time.

21 Oralía?

22
23 ORALIA MERCADO

24
25 A (By Ms. Mercado) Well, I would like to address some

1 of the things that Meredith said and of course we don't
2 always agree on everything, and one of the things that
3 strikes me the hardest is that we got -- we were granted
4 a \$50,000.00 grant to figure out what our barriers to
5 employment are. We know what our barriers to employment
6 are, women know what they are and I don't see any reason
7 for researching it further, I'd rather have a grant to
8 do something about the barriers.

9 For instance, I know one of the biggest barriers is
10 day care, child care, transportation, is a big barrier in
11 Casper.

12 I just get really excited when we say we're going to
13 research you further and I think, I'm tired of being re-
14 searched further, just like I'm tired of being researched
15 as a Chicana.

16 As a Chicana I can say to you, you know what kinds
17 of barriers I've had to employment, and I don't know, I
18 just get so excited and one of the things that I -- I'm
19 very aware of is the cultural types of things that I've
20 encountered as a Chicana female in the type of employment
21 that I've had to deal with and Meredith, when she said
22 about SER, I -- and I'm not putting anyone down but when I
23 was employed by SER, one of the things that I found was that
24 I was discriminated more as a female, and this is, to me --
25 okay, I was discriminated more in my lifetime as far as jobs

1 are concerned because I'm female, not as much because I'm
2 Chicana, but that's when I really felt the barriers, the
3 kinds of attitudes that the Chicano male has towards the
4 female in anything but a subservient-type of an occupation,
5 such as a secretarial, which is a traditional women's
6 job, such as -- staying home and taking care of your
7 children because your cultural values are going to decrease
8 because you are working.

9 It's almost unknown for a Chicano female to be in
10 a divorce status, yet it's instilled in us that the male
11 earns the living, the male is the person in the household
12 who makes the decisions and I'm sure that this is not just
13 a Chicano problem but I think you've all heard the term
14 machismo, which means very much a man, and those are just
15 the kinds of things that I feel that have been barriers
16 to employment.

17 And I -- I hope that you're not offended by what I
18 said, I just feel that why do we want to -- another
19 research grant when what we really should be asking for
20 is maybe money to set up a women's center for employment.

21 A (By Ms. Morrow) May I answer?

22 A (By Ms. Mercado) Sure.

23 A (By Ms. Morrow) All right. The reason we need this
24 information is because you know what the barriers to employ-
25 ment are, I know what some of the barriers of employment are,

1 but I have nothing concrete to show to the employers and
2 other agencies in the State of Wyoming to say, all right,
3 this is the way it is.

4 These are the women that are working, that can not
5 get promoted. These are the women who would like a posi-
6 tion for which they qualify, but these are the reasons
7 it's not available. They live in an area where that type
8 of work is not there, or because they are women, the job
9 market is not open to them.

10 I don't know the answers to all these questions, and
11 we have to have the answers. We have women staying at home.
12 Are they staying at home because they want to or because
13 they don't have the education to get the jobs that are
14 available? What types of jobs are available in the area
15 in which they live in if they want to go to work?

16 What type of training do they need to get the jobs
17 that are available?

18 I do know where that information is all put together
19 in one little, one nice thing that we can hand out and say,
20 hey, look, you've got women here, this is the type of edu-
21 cation they have, these are the workings that that work
22 is available, we can take it to the community colleges and
23 say this is what we need.

24 We can take it to all the employers and say you
25 have women, because we get, we listen to some of these

1 nice people sitting up here saying, we don't have any
2 qualified people. And we will have something that says
3 there are qualified people.

4 Why aren't you out there getting them? That's part
5 of affirmative action.

6 A (By Ms. Mercado) Well, what I guess what I was
7 getting at is we have 51 resolutions passed by 300 delegates,
8 and to me if that's not documentation that -- enough, I
9 realize that we're not -- we have not done a total research
10 of statistics, and that's important, but I think that I'd
11 rather see the -- a bigger grant be awarded for something
12 like a women's center, employment center, and -- that would
13 deal with these sorts of things. Not a strictly a research
14 grant.

15 A (By Ms. Morrow) Well, it's something, you're talking
16 about two different things, Oralia, a survey is one thing,
17 a women's center is something else. Women's centers have
18 been started, but they have not reached the point where
19 we can have them funded to the point that they should be,
20 or the women manpower has not been available to keep it in
21 operation.

22 And when you talk about the population in the State
23 of Wyoming you look around this room, you know most of the
24 people here, I know most of the people here. Because
25 anytime you are dealing with these things you run into the

1 same people all over and we are spread very thin. And you
2 can only do so much. But you have to start someplace and
3 you have to have something concrete to show.

4 THE MODERATOR: May I cut in, please, I would like
5 to open it up to the audience for any comments from the
6 audience on anything with problem areas for women in the
7 whole State of Wyoming.

8 Q (By Ms. Kaufholz) Vickie Kaufholz, Cheyenne.

9 I was wondering if Meredith would like to elaborate
10 on a -- the movement, she's learned, that's a fact to
11 rescind the sexual assault bill and what cities it's
12 coming from so maybe there may be some people here who could
13 work in opposition to it in their own areas.

14 A (By Ms. Morrow) The information came to me from
15 the director of the Rape Crisis Center in Rock Springs,
16 they had two people who had been arrested for sexual
17 assault in the Rock Springs area, the information given
18 to her was that the reason they were released without trial
19 was because of the new law, and I said it wasn't because
20 of the new law, it was because of the people involved in
21 trying to interpret the new law. And to enforce it.

22 And she had been approached by a couple of attorneys
23 in Casper, to start a movement to rescind the whole thing,
24 and start all over again, and after four years of work, we've
25 done the best we can, it's a better law than we ever had

1 before, and the problem is not the law, it's in implemen-
2 tation.

3 And the problem seems to be with the county attorneys.

4 Q That was the case in Rock Springs, the county
5 attorney released --

6 A Well, that's -- the county attorney dropped the
7 charges.

8 Q Okay, and then you're saying that it's Rock Springs
9 and Casper?

10 A Right.

11 VOICE: Wrong.

12 A (By Ms. Morrow) County attorneys are elected
13 positions.

14 MR. LEVIS: Could I just mention one thing here
15 about domestic violence sexual assault? The Colorado
16 Advisory Committee to the commission has published a report
17 on domestic violence in Denver and on the laws and that's
18 out in the foyer.

19 We've also produced a 13-minute film which is
20 available to groups free to use, which includes statements
21 from four individuals, includes interviews with Dr. Lenore
22 Walker, who is the head of it, is it the Psychology
23 Department at Colorado Women's College, she's also a
24 delegate to the International Women's Year conference and is
25 an expert on domestic violence, and three other individuals,

1 including the chief of the, I think it's domestic crime
2 section of the Denver Police Department, also a psychiatric
3 social worker and also a counselor at the York Street
4 Center in Denver, which is one of the centers which are
5 being funded now by the Law Enforcement Assistance Adminis-
6 tration, on what's being done in Denver, and that's available
7 and I think some of the committee members have seen that.

8 So you can just write our office if you're inter-
9 ested in getting the film for use.

10 A (By Ms. Morrow) That York Street Center is a great
11 place.

12 Q (By Ms. Wright) Bill, I wonder.

13 Edna Wright. Edna Wright from Rawlins.

14 I wonder if you have seen the film that's almost
15 the same, similar to the one you're describing?

16 We had -- it was shown at the Wyoming Women's
17 Conference, had the same characters, but Dr. Walker was
18 present at the workshop.

19 MR. LEVIS: That's our film.

20 Q And it showed the victims. It showed victims and it
21 also had the same police officer and that social worker in
22 the film. So they must have been made about the same time.

23 MR. LEVIS: I think what you're talking about,
24 there was a film done by Channel 9 in Denver, KB-TV, which
25 is very similar to ours and I think that's probably the film

1 that was shown. It was a half-hour special which was on TV
2 about four or five months ago.

3 Q Perhaps some that were at the women's conference
4 remembered seeing it.

5 But I would like to know if -- if that film was
6 available, perhaps Dr. Walker could tell me if I wrote her.

7 MR. LEVIE: Right, I think if you need that film you
8 should write to Marty McKinley, who is the director of
9 public affairs at KB-TB in Denver, their address is 1089
10 Bannock Street. B-a-n-n-o-c-k, and it's Denver, 80204, I
11 think.

12 Q (By Ms. Baltimore) I'm Lili Baltimore from
13 Cheyenne, Wyoming.

14 The first person I'd like to ask, Ms. Meredith, do
15 you have any Black women on your commission for women in
16 Wyoming?

17 A (By Ms. Morrow) I wish we did. We are appointed by
18 the governor, according to the statute we are limited to
19 one woman per county plus four people at large. We have
20 tried since 19 -- well, since 1965 actually, to have Black
21 women, Indian women, Mexican-American women, on the com-
22 mission. But we serve for a period of six years, there are
23 very few vacancies, there's only a third that goes off, when
24 you have 27 members that makes approximately 12, 10 that
25 go off every six years. Every two years. Because they're

1 staggered terms.

2 We have asked every governor to please appoint, and
3 that's as much as we can do because it's up to the governor.

4 We are trying to establish, throughout the State of
5 Wyoming, city and county commissions where we hope that
6 we would be able to involve more of the minority women
7 because it would not involve the travel that being on the
8 state commission does.

9 But we would be in constant contact and we would
10 want the people who are on the city and county commissions
11 to attend the state commission meetings so that we could
12 pool our resources.

13 Q Well, I feel at best the Black woman's always
14 been on the lower part of the totem pole in our society
15 and because of the Black lady, I feel that the reason we
16 have the commission for women, the protection and the status,
17 should include Black women.

18 A I agree with you wholeheartedly, no question about it.

19 Q (By Ms. Wright) Edna Wright, I would like to ask
20 the lady if she has, did you put an application in to the
21 governor's office? When he makes appointments, and I
22 believe he makes around 1,500 a year, he doesn't know where
23 to get the names if people don't let him know that they'd
24 be willing to serve.

25 And we have a form which you may get through, in

1 Cheyenne, through Ms. Morrow or Judy Kalal (Phonetic),
2 and they're so anxious to get more applications from women
3 who will be willing to serve on commissions.

4 Q (By Ms. Baltimore) My name is turned in, yes, and
5 we are still the invisible ladies of the community.

6 A (By Ms. Mercado) May I address that also?

7 I've tried at least three times, sent my resume
8 to, in fact I sent my resume twice, I believe, to Meredith,
9 and I didn't even receive anything back saying whether or
10 not I was being considered. Now, I wanted to serve on any
11 of the commissions, councils or whatever that the governor
12 appoints, and I've tried on at least three occasions to get
13 on there and I have not received any information back, I
14 don't know what's happening.

15 In the last two years I've more or less given up
16 trying to get on, and the governor knows I'm there.

17 And I'm sure he knows you're there.

18 MS. WRIGHT: There hasn't been any openings in the
19 counties.

20 A (By Ms. Mercado) I'm not just talking about the
21 commission of women, I'm talking about other commissions
22 that are appointed by the governor.

23 A (By Ms. Morrow) Yes. We do have that talent
24 resources roster. Oralia, the reason you didn't receive
25 a reply is because it costs 13 cents to send a letter, so the

1 Wyoming Commission for Women has a very limited budget, and
2 I did not think it was necessary to reply to an application.
3 I've hand-carried every single application to the
4 governor's office, and where they are kept on file. They are
5 now being handled by Rena Fitzgerald, of Riverton.

6 The talent resources roster is, the governor does use
7 it, but if you have more applicants than you have vacancies,
8 you know what happens.

9 We haven't had a vacancy on the commission for women
10 in Casper in over four years.

11 A (By Ms. Mercado) Okay, I've tried through Worland
12 and Casper, I'm not saying that because I didn't receive
13 a reply from you I'm not addressing that, what I'm
14 addressing is, okay, the governor's office maybe could
15 possibly send a reply back, it cost me 13 cents to send my
16 resume there and I'm sure, and I assure you, that my budget
17 is limited when I support five children on my salary.

18 A (By Ms. Morrow) Yes, I'm sure it is.

19 THE MODERATOR: At this time I'd like to invite anyone
20 to make specific recommendations, whether to our legis-
21 lative representatives or to the U.S. Congress since we are
22 being recorded and we would like to make a report of what
23 the recommendations are that the women of Wyoming would like
24 to see.

25 Anyone here on the panel or on the floor, please,
before we will

1 before we wind this up?

2 Q (By Mr. Reed) Yes, my name is Wilbur Reed and I'm
3 from Denver. With the community relations service of the
4 justice department, and it's obvious that I'm not a
5 woman, but on the other hand, when you mention recommenda-
6 tions, regarding women's concerns, my thought drifts back
7 to the fact that you do not have much minority input from
8 what I can understand.

9 So, at this time, I would like to recommend that
10 you, the commission of women, begin to set up some kind
11 of ad hoc body or somebody, a coordinating body with the
12 minority women around the state.

13 Now, that's just a beginning, with the idea that you
14 will be in full contact and have a connecting link with
15 those people to a point where when there is time or when the
16 opportunity will permit itself for some minority women to
17 be appointed on your commission, you will have them, you
18 will have been in contact with them, and then you can make
19 those recommendations from your body itself to the
20 governor.

21 A (By Ms. Morrow) Right.

22 Q Thank you.

23 A That's very good. Who's going to pay the travel?

24 We're talking about trying to get around the State
25 of Wyoming which I'm sure you're aware is a little bit large,

1 you always run into the problem of funding. what

2 What I really --what really interests me is the
3 civil rights commission that they have in Colorado, what
4 was -- what was your budget?

5 MR. LEVIS: Monica's gone but the total budget,
6 including federal funds, was about a million dollars, I
7 think.

8 A About a million dollars, so if we even scale it down
9 to Wyoming, a civil rights commission in the State of
10 Wyoming would be a wonderful idea. We're still dealing
11 with human rights, women are part of it, how do you start
12 a civil rights commission except through legislation?

13 We're still talking about political things. This
14 is political. And no matter what you do it's going to
15 take money.

16 And the money has to come from someplace. Either
17 through legislative appropriation or through the -- from
18 the federal government. Where do you start first?

19 THE MODERATOR: Any answers, any further recommenda-
20 tions?

21 MR. LEVIS: The only thing that I have is something
22 that we've talked about with our own commission and which
23 the Colorado Civil Rights Commission is starting to do and
24 that's to have advisory committees in each community and
25 therefore there are no travel funds. The only travel is for

1 the person who would have to go to that community, it would
2 be one person who would go to Casper instead of bringing
3 six people from Casper to Cheyenne, and they're trying
4 that in Colorado and I think you could talk to Monica about
5 the success they've had with that.

6 THE MODERATOR: This will be our final question.

7 Q (By Ms. Coykenall) Leona Coykendall, Fort Washakie,
8 Wyoming.

9 This isn't really a question, it's more like a plea
10 for help.

11 Meredith, whether you can respond to this or not I
12 don't know. But the problem is the Arapahoe women on- on
13 the Wind River Reservation are discriminated against by
14 the men of the tribe. We have tried in every way to talk
15 with them and to try to get them to go along with us.

16 Okay, we have -- the Arapahoe woman has a child,
17 be it legitimate or illegitimate, that child is rejected
18 for enrollment. The Indian woman applies for that child
19 enrollment in the tribe, and it is always rejected unless,
20 well, I shouldn't even say unless, because the only one that
21 can enroll their child on the reservation in the Arapahoe
22 Tribe is the men.

23 And it has to be the man, if he has, say 16th or
24 maybe a 32nd degree of blood, Arapahoe blood, and he marries
25 a full blood woman from some other tribe, that child is

1 enrolled as a full blood.

2 Okay. But the woman, she could marry a full blood
3 Indian from some other tribe, that blood isn't considered,
4 it's -- they just will not enroll the child, so this is
5 against our rights to inheritance, our civil rights as
6 people.

7 This is -- is there any help for us?

8 MR. LEVIS: I can tell you where the help is if
9 there's any help, the decision that you're talking about is
10 being reviewed by the U.S. Supreme Court in a case right
11 now and it will be issued before July. It's Santa Clara
12 Pueblo versus Martinez, where the similar situation happened
13 down in New Mexico.

14 THE MODERATOR: Anything further?

15 If not, thank you very much, Meredith Morrow and
16 Oralia Mercado, and thank you all.

17 We will meet at 1:30 for the panel on community
18 reaction.

19

20 (Luncheon recess)

21

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AFTERNOON SESSION

November 11, 1977

(The following was moderated by Ms. Edna Wright)

THE MODERATOR: Good afternoon. Is everybody ready to begin?

We're already five minutes late.

I'd like to present our panel. On my right, Helen Boyd, she's with, the letters are WIFE, Women Involved in Farm Economics, and she's from Carpenter. And Wanda McCue, of Cheyenne, community volunteer.

And Tony Mendoza, the Snowy Range Community Action of Laramie, Betty Chavez Holcomb, who is just recently been director of AYUDA Central in Rawlins, Wyoming. Wilbur Reed, Community Relations Service, Department of Justice, Denver.

Now, the panel will present whatever they want to talk about. We probably will give their reaction to the presentations that have been made in the past two days, or they may describe their involvement in community activities in their own community as related to the civil rights.

We'd like to have their presentation limited to 15 minutes as has been done through the program.

We'll start with Helen Boyd.

HELEN BOYD

1
2
3 A (By Ms. Boyd) Wanda and I were just talking as to
4 how we appeared on this panel, it happens that both of us
5 were on radio and I think maybe Juana heard us and
6 consequently decided this was a place we need to be, so I
7 am a farmer's wife, a farmer's daughter and the reason I'm
8 here is that the rights of us farmers and ranchers are
9 being taken away.

10 Consequently, because we are losing our rights as
11 citizens, the very economy and health of the United States
12 is in trouble.

13 When I was listening to Jeff Frant yesterday from Den-
14 ver, talking about financial success and how we needed to
15 get people in the proper positions to let them have their
16 fair-share, they needed to have equal housing, I thought
17 this man is thinking just as all of us are thinking.

18 Juana and I had talked after my being on the radio
19 one day, that there needs to be a cooperative balance in
20 the United States of America. There's no one on this room
21 who is any less important than I am, in a turn, I am no
22 better than anyone in the room, you're no better than I,
23 President Carter is no better than any one of us because
24 each of us has a position in life.

25 We have a talent, and we need to use that talent for

1 the welfare of all.

2 I know that the time has passed when we've looked to
3 past history when there have been stereotypes made. There
4 was a stereotype of a farmer, first of all in bib overalls
5 and a bumbling hayseed who didn't have the intelligence,
6 as the stereotype would have it, to even cope very well in
7 the marketplace.

8 Well, those days of the bumbling hayseed have passed.
9 You will find that very few farmers in the United States
10 are not terribly aware of the world around them, because
11 they have to be.

12 We have to almost be geniuses to survive under the
13 financial situation that we're working under now. And for
14 about the last three or four years, the economic devastation
15 to the farmers and ranchers in America has been severe.

16 We, I would imagine between now and, oh, maybe in
17 the next eight to 12 months, will either be able to get
18 our heads up out of the water nationwide or we're going to
19 go under.

20 History has told us Larry Barrett, state commissioner
21 of agriculture here, is a great student of history and a
22 student of economics. And he said he's noted that now,
23 every commodity in the United States is in more serious
24 trouble and that means lettuce and broccoli and carrots and
25 beef and wheat and whatever, every commodity in the United

1 States is lower than it has ever been since the 1930's.
2 We are on the edge of the depression.

3 And if we can not get the United States of America
4 Government primarily to allow a free marketplace, I think
5 our very freedom in America is at stake.

6 I have been living, breathing agriculture and
7 political influences on agriculture ever since the 23rd
8 of February and I think I even dream about it now, 24 hours
9 a day, but with our WIFE organization, which stands for
10 Women Involved in Farm Economics, for the first time we have
11 had people from all communities throughout the United
12 States of America pulling together.

13 That doesn't mean whether they belong to farm
14 bureau or farmers union or national farmers organization or
15 whatever, for the first time because of destitution we found
16 that everyone wants to pull together.

17 And we feel that the only, the United States is
18 going to be better for the fact that all of us are pulling
19 together.

20 We also have another community action in southern
21 Colorado where all the farmers are working together with
22 American agriculture. And we know that, and I know the
23 word strike probably just strikes terror in your hearts like
24 it does all of us, but I think probably between now and
25 December 14th, you will hear the word strike on the part of

1 agriculture more and more frequently.

2 The word strike is something that I just, I have a
3 hard time saying and here's my poor father, who's been
4 a farmer and a rancher since the early '40's, he couldn't
5 bring himself to say it for a long time and he said, well,
6 Helen, I know the other 96% of the population understands
7 it. And we look now, everywhere, between two days and
8 three weeks that we will be able to pull all of our ranks
9 together and we're going to take control of our commodities.

10 We're not going to rely on the government to bail us
11 out because we realize that they don't have the means, they
12 don't have the understanding because they're clear back
13 in Washington, D.C., and every one of our operations is so
14 unique and so different, my parents only have a \$900.00 land
15 payment a year, well, you can divide that by 12 and figure
16 out what your rent would be here in town.

17 Where my husband and I have almost \$7,000.00 a year
18 that we have to make for land payment, divide that by 12
19 and you can imagine what that would take out of one of your
20 monthly salaries.

21 Now, I used to be a teacher in town, matter of fact
22 I taught with Juana's husband, but I, and I never even had
23 a chance to exchange information about each other's
24 families because he was busy teaching French and I was busy
25 teaching English and speech, so I live on a monthly income

1 and I know how rough it is, and every housewife that goes
2 to the supermarket nowadays is being ripped off at the top.

3 And we at the bottom are getting ripped off and
4 in between, there is manipulation that you wouldn't believe.

5 There is a concerted conspiracy on the part of a
6 group called, well, it came out in a report called the
7 Unfinished Agenda, the idea is being backed by the Rockefeller's
8 Fund, there were 3,000 environmental organizations that got
9 together, now there are good environmentalists and there
10 are bad/ones. The ones who have never been out to get any
11 manure on their field are the ones that don't understand
12 what it is to have to trudge through a blizzard to keep
13 baby calves alive so that you can have veal cutlets and roast
14 on your table.

15 **environmentalists**

16 Well, these/envoys got together and the one gal that
17 has been really working is only 27. She was educated at
18 Harvard and Radcliffe and she is helping formulate our
19 national water policy. President Carter would like to
20 take over the control of all the waters in the United States,
21 and if we have water here that he feels should go to very
22 low rich soil in Missouri or California or Georgia, he would
23 like to take that water away from Wyoming, and other states,
24 and take it to where he feels it would be better used.

25 Now, the minute that you turn Wyoming into an arid
desert, there won't be as much food available as there

1 should be.

2 So, I'm looking back at this Katherine Fletcher,
3 who's working on the water policy, and some of these 3,000
4 organizations that have pulled together are very, very
5 well to do, but many of them are not in touch with reality.

6 The top 12 out of 3,000 of these environmental
7 organizations have an annual budget of 48 million dollars
8 and they have a membership of 43 million.

9 Well, if their ideas were realistic, that would be
10 fantastic but they haven't been out here, they don't know
11 what it's like.

12 I think of, oh, for instance Tom Bowman, who is
13 with the Chamber of Commerce here in Cheyenne, he and a
14 whole bunch of his businessmen from Cheyenne came down and
15 looked at sugarbeets around Pine Bluffs. Well, now one man
16 couldn't figure out what these little leafy green floppy
17 things were, they'd never seen what a sugarbeet was, so
18 people here in Cheyenne have been coming out and they've
19 been learning. You know, the true situation with farming.

20 But there are a lot of people throughout the nation
21 who haven't.

22 Now, these environmentalists have got together and
23 put out this unfinished agenda, 184-page report, feel that
24 all the land should be reduce -- should be redistributed
25 into five and ten-acre plots and they feel that farmers are

1 using too much energy, so that we should return to hand
2 tools only.

3 Now, if you can imagine having all of us get down on
4 our hands and knees and take corn seeds and put in the
5 ground by hand, taking rakes or fingers and going around
6 and well, we had like 45 acres of corn this year, I can't
7 imagine having just my husband, myself and my mother and
8 my father plant enough corn to feed everyone cornflakes
9 in the United States. It's just entirely unrealistic.

10 We do have, you know, this is one of our concerns, is
11 that people want to take over our land. Not only do we have
12 the concerns of maybe environmental groups within the
13 United States, but the foreign money that has come into the
14 United States just recently to take up our prime agricul-
15 tural land is appalling.

16 Last, well, ten days ago I got a report out of
17 California, and 33,000 acres in California was sold to
18 foreign investors. The Middle East is the primary pur-
19 chaser of land in Washington State and in California.
20 Lichtenstein is a threat in Iowa. We have Japanese and
21 Chinese money coming in and I have nothing against the
22 nationalities, it's the fact that we have foreign countries
23 coming in to buy our land and their ultimate goal is to
24 have all of us tenant farm their land so that they can take
25 food back to their countries and see they can't raise enough.

1 And you wonder, well, what does it do about this? And
2 how is this going to affect me? Well, because we have
3 had so much manipulation in America, the Chicago Board of
4 Trade is one example that just puts farmers away. Somebody
5 can walk in, for instance, and put on futures market a 1,000
6 head of cattle and never ever own that 1,000 head of cattle.

7 Now, the minute that futures market sees a 1,000
8 head of cattle come in they think, aha, there's going to
9 be a good run and we call this short sell, and it is
10 illegal and once a person is found to be committing to
11 futures produce not in that person's possession or that
12 can not be readily acquired, that person can be punished.

13 But, oh, it's hard to decide who is going to be doing
14 or who's doing the manipulating.

15 There's another problem with the cattle market.
16 There's a yellow sheet published every morning in Chicago,
17 Illinois, five or six men get together at a table every
18 morning and they decide what the swinging weight of carcasses
19 will be for that day. Now, whatever price they determine
20 is put on a yellow sheet and for \$250.00 a year each one
21 of you could purchase this yellow sheet and you would know
22 what the swinging carcass weight was.

23 Well, Safeways and Monford and Albertson's and all
24 these other people get this yellow sheet and they use this
25 as a tool to decide what they're going to pay for our

1 produce. Well, the decision of those five or six men in
2 Chicago can make a difference whether my husband and I
3 are going to make a profit in our feedlot that day.

4 So, you wonder how this is going to affect you?

5 Well, there's going to be a shortage of food if
6 the foreign investors and gigantic corporations try to take
7 over our land. Now, there's Teneco (Phonetic) and Gates
8 Rubber and Black Watch and Ben-Gay, you know, arthritis rub,
9 that have tried getting into farming before. Most of these
10 people do not want to make a profit. They want to use it as
11 a tax writeoff.

12 They almost pay people to lose money so they can use
13 it as a tax writeoff.

14 So we know gigantic corporations will do nothing but
15 cause a food shortage if they do get enough control, then
16 they'll be able to hold the food off the market until you
17 pay the price they feel is necessary.

18 Middle East, other foreign countries taking over our
19 food, not only would cause a shortage of food, and an
20 escalating, skyrocketing price for food but also our
21 national freedom would be at stake.

22 So what the farmers and ranchers will be asking of
23 you and other people in America between now and December
24 14th, or two or three weeks thereafter, is to pay 3% more
25 for your food but we farmers and ranchers are going to have

1 the control so that you will not be ripped off at the top.

2 Right now it costs more to process food than it
3 does to raise it. Out of the food dollar, 31 cents goes
4 to the farmer, 33 cents goes to the processor and 36 cents
5 goes to the transporter. We farmers and ranchers use 3%
6 of the energy in America to produce food for you.

7 However, darn USDA comes up with the idea that we
8 use 22% and what they do is tack on the processing energy
9 use and the transportation use and blame it all on the
10 farmers.

11 So there's a lot of misunderstanding in that respect.

12 But we will be asking for 3% more for you to pay for
13 you food, which means when you go and spend \$50.00 in the
14 marketplace for food at Saveways or wherever you shop, it
15 would cost you \$51.50.

16 But we think, we have absorbed inflation for such a
17 long time and as has been in trouble for almost 20 years
18 but no one has complained up to now because the inflation
19 hadn't caused us a lot of problems that we couldn't cope
20 with. But because we have no bargaining table over which
21 to negotiate, we've absorbed all the inflationary trends
22 in our business and we've kept people in America and across
23 the world fed, but we can't go on any longer.

24 So we want, oh, for instance the United States Depart-
25 ment of Agriculture to be more realistic in their news reports

1 about us. The bureau of land management has caused ranchers
2 and farmers a great deal of trouble because they don't
3 feel that ranchers and farmers should be able to use pickups
4 to go in and fix the windmills that give water to the cattle,
5 which you eventually eat.

6 The forest service has been much more cooperative.
7 The Environmental Protection Agency has, is really a
8 stickler for us. The Food and Drug Administration not quite
9 so much.

10 I made a list here yesterday after I talked to
11 Sandra Wallob's (Phonetic) office of problems that he had
12 foreseen. I, in our local area in Burns, Wyoming, we wanted
13 to buy tires and batteries locally and we found out we couldn't
14 stock them in this warehouse because OSHA said that we
15 have to have bathrooms in there for men and women and couldn't
16 stock them.

17 Well, then we turned around and found that the EPA
18 says you can't have bathrooms in there where you have tires
19 and batteries, so consequently, to find some of the tires
20 and batteries that fit our new Holland equipment, which
21 there's not a dealership here in Wyoming or Cheyenne, so
22 we have to go 70 to 90 miles into Colorado to pick up
23 batteries that we could pick up just eight miles away if
24 OSHA and EPA would just see how necessary it is for us to
25 have tires and batteries, but we understand the court battle

1 will last for another two years so there again we're going
2 to have to drive 70 and 90 miles to get our repairs until
3 these two organizations can decide that food's awfully
4 important and they better, you know, be a little more
5 realistic.

6 I could go on for about probably three months
7 learning -- telling you all the things that I've learned.
8 I get emotional when I think of all the ramifications that
9 are going in even to the 160-acre divide up, I don't know
10 if you've been reading about this in the paper, but Cecil
11 Anders dug up a law from 1902 saying that farmers and
12 ranchers should only be able to irrigate 160 acres from
13 reservoirs that have federally funded water.

14 Well, there's no way you can make it on 160 acres
15 anymore unless we went back to the horse and plow days.
16 So we have a lot of problems, but we understood from, I
17 heard from Dave Litner, who's our farm bureau president,
18 last night, that this is a gimmic whereby they can divide
19 the land up again and they don't feel that some of the
20 people in California should be working for farmers, that
21 they instead should have their own places and that this is
22 a gimmic so that they can redivide the land all across
23 the United States of America.

24 But everyone's not cut out to be a farmer and rancher
25 and to suffer through the extreme blizzards and drought and

1 I'll just tell you one quick, funny thing before, I don't
2 have any idea how much time I've taken.

3 But I've been married over ten years and up until
4 this year I was still wearing my trousseau underwear. Well,
5 after I got to the point where I was tired of taking safety
6 pins and holding the elastic up to keep them on, I decided
7 by gollies, I deserve my fair share this year, I know that
8 other people across the United States are, you know, they
9 get to buy undies, so I went to buy undies too. So I
10 finally broke down this year, but this is just typical
11 of what farmer and rancher wives do, just to keep everyone
12 in America and across the world fed.

13 But we can't, we can't tighten our belts any more
14 because they're tightened as far as they can go so we
15 need the help of everyone in the United States and the
16 support like we've gotten from Cheyenne to keep you fed and
17 part of the world fed and to keep America free.

18 THE MODERATOR: Thank you, Helen. You've given us
19 some interesting but alarming facts, and I think your
20 organization is really fine.

21 Wanda McCue?
22
23
24
25

WANDA McCUE

1
2
3 A (By Ms. McCue) Well, I am listed as a community
4 volunteer. I guess that's really what I am. Actually I
5 run, I administer four different volunteer agencies here
6 in town, and all of them deal with low income people.

7 And one of the things -- I retired back in 1970,
8 or I guess that was just tired, and I decided that I was
9 simply tired of making money. Working just to make money.

10 Everybody else here wants to make it, but I was in
11 a job that I didn't like, had been in that job for quite
12 some time, and I was, probably would have been fired if
13 I had not quit because I was fighting for the rights of
14 some of the people in that particular job, and so I was,
15 like I say, probably would have been fired if I hadn't quit.

16 So I had always wanted to play golf, so I decided
17 this was the time to just quit working and take up golf.
18 So I took up golf and I started doing volunteer work. And
19 I was a volunteer for help line, I was in the third class
20 I think, of volunteer training for help line which is a
21 crisis line, telephone line, and then I got involved with
22 meals on wheels, I'm sure most of you here know what meals
23 on wheels is for low income and elderly people who are
24 confined to their homes. It's one hot meal a day, and it's
25 basically a volunteer organization.

1 And so, then, because I was involved in these two
2 things and had done some other volunteer work, I was
3 offered the position of administrator when they decided
4 to put four volunteer agencies under one administrator.

5 So my administrative costs, people have been batting
6 budgets around of three and five million dollars here in
7 the last two days and I've just sit there and gulped. My
8 total administrative costs for four agencies runs around
9 \$15,000.00 a year. That is my total overhead basically,
10 because I'm a volunteer organization, my offices and so forth
11 are furnished by the church, free of charge, I get my heat
12 free of charge, and to year to date I have over almost 8,000
13 volunteer hours that have been put into the four positions
14 that I run. Four agencies that I run, and these volunteer
15 hours represent a considerable payroll, and to me they
16 represent one of the things that has not really been pre-
17 sented here.

18 And they represent one of the things, because I say
19 that this is the place where you have to start if you're
20 going to find out for sure whether people's civil rights
21 are being violated. You have to start here. Because if
22 you are employed in a position, and you see something that
23 is just not on the up and up, your -- it's going to have to
24 get pretty serious and affect you very much before you're
25 going to do anything about it.

1 But if you're a volunteer in that same organization,
2 and you see something going on, as a volunteer you have a
3 right as well as obligation to say something about that.

4 That's one of the angles I'd like to come from.

5 Another angle I'd like to come from is the fact that
6 civil rights and justice are not necessarily synonymous.
7 And also the fact that there is a boxed-in effect to poverty,
8 and I don't care whether you're an Anglo, whether you're
9 an Indian, whether you're Black, whether you're Chicano,
10 there is a boxed-in effect to poverty that very few people
11 realize.

12 And I suppose from my own personal standpoint, I
13 could be classed as a middle low income. We've lived in
14 Cheyenne all our life and I've raised two children and they
15 have been involved in all the things that children are,
16 they were in band, they were in scouts and I tagged along
17 and did what I could in all of it, so I am coming from that
18 angle, basically as far as my own personal standpoint is
19 concerned.

20 But since I have been in the agencies, these volunt
21 teer agencies that I've worked for, I deal with a lot of
22 poverty, and I mean real poverty.

23 Now, a good many of our city fathers would say we
24 don't have real poverty in Cheyenne. But we do. When I
25 first started to work for Needs, Incorporated, it was a

1 pretty small organization, we were getting on an average
2 of 80 calls a month, I guess, and we were basically an
3 information referral.

4 So, every once in a while I would go up and go out
5 and scrounge up some furniture for some family that needed
6 it and I would even deliver that furniture. So I have
7 walked into houses right here in Cheyenne where people
8 were sleeping on the floor, they didn't even have mattresses,
9 and basically that's what Needs, Incorporated, is, it's a
10 physical resource center for low income people.

11 We do not charge for anything. We have an emergency
12 food closet, we have emergency furniture, that is donated
13 to us, we have clothing closets, and we have nice people
14 that donate money to us.

15 I have no government funds, so I am completely free
16 to do what I feel needs to be done. And like I say, as I
17 sat here for these two days, I couldn't help but realize how
18 human, human, shall I say human characteristics were in-
19 volved in all of these places.

20 Now, I can not even begin to put myself in Alberta's
21 position, for instance, because I don't really know what it
22 is to be put down, and never recognized as a person. I --
23 I have no idea what it would be like to be Spanish-American,
24 all I can do is to do the very best I can to say, okay,
25 as a middle class White American I have made that mistake,

1 and let me try to do what I can to alleviate it.

2 And like I say, basically the people I work with,
3 and it's surprising.

4 Now, I have a -- I run a tutoring program, at that
5 tutoring program is on a one to one basis and it's run
6 through the school but it's run with volunteer tutors.
7 We charge \$2.00 a year for a tutor. And that's just to
8 keep the paper work rolling as far as that \$2.00 is concerned.

9 But it's surprising how many people will, the names
10 that will crop up, both in the tutoring program and in the
11 help referral program from social services, welfare or
12 someplace like that.

13 Here again this is my -- this is what I'm saying,
14 there's a boxed-in effect to poverty that very few people,
15 I think, realize. And it's you can pass all the laws that
16 you want to, but your laws are not going to give you justice.

17 And the justice is simply not going to be there
18 until we get back to realizing the fact that my liberty
19 stops where your nose begins. I guess that's kind of a --
20 my philosophy and that's where I'm coming from, as far
21 as this bit of civil rights is concerned.

22 I've read -- I also would like to say that the
23 welfare system in the United States, at least as I have
24 become acquainted with the welfare system, does nothing to
25 alleviate this either. If anything, it comes from the

1 other direction. Your power structure is built to keep
2 people on welfare, not get them off.

3 I could -- I could cite you numerous cases of that
4 too. This is -- I have absolutely told you nothing of what
5 I had prepared here, but if you want to ask me some
6 questions later on, I'll be glad to tell you about some
7 of these things that I had written down.

8 THE MODERATOR: Thank you, Wanda.
9 Tony?

10

11

12

TONY MENDOZA

13

14 A. (By Mr. Mendoza) My name is Tony Mendoza, I'm
15 president of the board of directors for the Snowy Range Com-
16 munity Action agency and we serve three counties in the
17 southern part of the State of Wyoming.

18 Not Laramie County, Albany County, Carbon County
19 and Sweetwater County.

20 I also am project director of a program at the
21 University of Wyoming called Educational Talent Search.
22 It's funded through the department of health, education
23 and welfare, and administered through the office of
24 education.

25 We've heard and we've listened to and we've been

1 exposed to a number of things, and a number of opinions
2 and a number of situations that for the most part are
3 rather alarming, situations and conditions that exist
4 here in the State of Wyoming.

5 Dr. Hartley was talking yesterday, he's from the
6 state department of education, was talking about a move
7 that is coming out of the association of state school
8 boards that's instituting in the State of Wyoming a pro-
9 ficiency examination for high school students graduating
10 from high schools in Wyoming.

11 Dr. Don Lucero, yesterday, talked at length about
12 primarily the dropout situation here in Cheyenne, how 80%
13 of the dropout situation is impacting primarily upon Chicano
14 students from the Cheyenne area, and he talked specifically
15 with regard to seven problem areas that he identified as
16 reasons why Chicano students are failing in the Cheyenne
17 School System.

18 Not the least of which are the insensitivity of
19 teachers, meaningless curriculum, language barriers, cultural
20 barriers, inadequate training of teachers to meet the
21 changing needs of a pluralistic society and he went on to
22 enumerate some other kinds of things.

23 Then we heard from a man who was the president of
24 the Wyoming Education Association, an individual by the
25 name of Bill Hesson, who sat here and suggested to us very

1 soberly and very lucidly that we have no problems in the
2 State of Wyoming.

3 It seems to me that what we face here in the State
4 of Wyoming, and what we find all too often, is what I like
5 to call the ostrich syndrome, people very typically in
6 powers of influence, powers of authority in the State of
7 Wyoming, with their head in the sand, and if they don't
8 have their head in the sand at least they're looking in the
9 other direction and saying we have no problems, there are
10 no difficulties here in Laramie or in Cheyenne or even in
11 the State of Wyoming.

12 Two years ago, the department of health, education
13 and welfare, under the division of civil rights, was called
14 into Cheyenne to speak to the issue of racial violence that
15 was occurring at Cheyenne Central High School. And yet Dr.
16 Hesson sat here and said we have no problems in the State
17 of Wyoming.

18 He said that teachers can be fired for their
19 association with local professional organizations,
20 organizations that many other teachers belong to, he said
21 that minorities are hired or that he was afraid that minorities
22 were going to be hired in the State of Wyoming, simply
23 because they're minorities.

24 The assumption underlying this particular kind of
25 philosophy is that White is right, that White means quali

1 . qualification, White means ability to perform a function
2 on particular jobs without question, and underlying that
3 assumption, accompanying that particular kind of philosophy,
4 is that Chicanos and Blacks and Native Americans are not
5 qualified.

6 And that they are simply applying for the sake of
7 applying for a position.

8 He also went on to say that there are some school
9 districts in the State of Wyoming that simply will not hire
10 Blacks or Native Americans or Chicanos, simply because they
11 are that, because they are members of a particular ethnic
12 group. He also said something that I thought was par-
13 ticularly alarming, that's not to say that the rest of
14 these other things were not equally alarming, but he
15 said that women are not striving for administrative posi-
16 tions in the State of Wyoming and so consequently, we
17 don't have a whole lot of women in administrative positions
18 in the hierarchy of education.

19 At that point I really had to ~~choke~~ back a laugh
20 because I thought that that was -- that was rather funny
21 but he was not being facetious at all, unfortunately, he
22 was being very serious.

23 The point was made yesterday about minority student
24 enrollment at the University of Wyoming. We have, at the
25 University of Wyoming, 129 Chicano students, we have

1 approximately 100 to 120 Black students, and about 35 to 40
2 Native American students. Now, rounding that off, according
3 to what the university enrollment is, generously rounding
4 it, Ladies and Gentlemen, we have .033% of the university
5 student body enrollment being minority students.

6 The Chicano population in the State of Wyoming alone
7 is somewhere in the area of between ten and 12%. So if
8 we're looking at a parity system, then we're about 650 to 7
9 700% behind where we need to be with regard to just having
10 Chicano students represented at the University of Wyoming
11 in the student body.

12 Dr. Hesson said that when he looked at other com-
13 munities across the country in other urban areas, he
14 said that compared to the problems that they have and
15 compared to the difficulties that they are facing, we have
16 no problems in the State of Wyoming.

17 And I submit to you, Ladies and Gentlemen, that
18 problems are problems that we should not strive to quantify
19 them or qualify them, where we have difficulties, let's
20 call a fact a fact and say we have trouble, we have some
21 areas here where we need to give serious consideration
22 and serious attention.

23 We have some areas of difficulty here with regard to
24 placing women in administrative positions, we have some
25 problems here with regard to assuring that minority children

1 are getting through the educational system both elementary
2 and secondary, so that they can in fact complete successfully
3 a post secondary educational program in this country.

4 It seems to me that education is critical to the
5 survival and to the incorporation of minority people in the
6 American dream of this country, and where we systematically
7 eliminate them at the junior high school level and at the
8 senior high school level, then we can't hardly expect that
9 they're going to be included in any great representation at
10 all on the post secondary level.

11 And it seems to me that a number of the things that
12 we were talking about yesterday, that we talked about this
13 morning with regard to employment, with regard to a number
14 of things, education is the critical and pivotal point. It's
15 the pivotal area at which minority people have an oppor-
16 tunity for participation in what has been called by
17 panelists here and by other participants, participation
18 in the great American dream.

19 Once again, I would think that the state department
20 of education would take a stand to be a little bit more
21 aggressive in terms of enforcement activities and a little
22 more reluctant in the areas of delivery of services.

23 It seems to me that when it becomes expedient for
24 the state department of education to withhold delivery of
25 services, or to abstain from enforcement where delivery of

1 services are concerned they take a very aggressive and very
2 active part in that kind of activity.

3 With regard to enforcement, with regard to making
4 sure that services are delivered to the people that
5 they're intended to be delivered to, the state department
6 of education suddenly adopts a posture of hands off.

7 We are not a policing agency, we are a role model,
8 we encourage, and yet I wonder. I wonder.

9 With regard to delivery of services they certainly,
10 I think they certainly leave a good deal to be desired,
11 a good deal to be desired in terms of being examples.

12 Next we heard from a woman, Marian Yoder, who gave
13 a very fine, very lucid presentation with regard to pro-
14 tection and advocacy for physically handicapped persons
15 in the State of Wyoming. And she indicated as a kind of
16 a footnote to her whole presentation, that the situation
17 of her funding was in a very precarious state. And it
18 seems to me that we are, ourselves, people who are involved
19 in the helping professions, people who are involved in
20 delivery programs for disadvantaged students are very much
21 in that state, very much in that arena of competition where
22 we are very uncomfortable.

23 We are not equipped, frankly, to compete with each
24 other, we ought not to be competing with each other with
25 regard to funding for special services programs, for educational

1 programs, for human services delivery programs. And yet the
2 federal government, in its wisdom or in its administrative
3 wisdom, let me say that, has chosen to departmentalize
4 delivery of services in this country, protection of American
5 citizens in this country, and with regard to things like
6 the defense department and the military and other kinds
7 of areas, there is very little competition for funds in
8 those areas.

9 Where we are talking about delivery of services,
10 where we are talking about opportunities for Americans
11 to participate in what is being called the American dream
12 and getting a piece of that pie, we are in fact competing
13 with each other, we are in fact competing for the very
14 kinds of monies that we ought not to be competing for.

15 We ought to be rather sharing those kinds of
16 resources with other agencies and other departments of
17 the federal government rather than competing for those
18 resources.

19 After Mr. Hesson finished, I thought that maybe
20 we were done with the comic relief of this particular
21 session, but no, following up on Mr. Hesson was another
22 very lucid young man who came to us as a representative from
23 the Cheyenne Chamber of Commerce, in the person of Tom
24 Bowman.

25 Tom Bowman indicated that he was -- he said that he

1 sent out this letter to responsible, respected business
2 representatives in the City of Laramie and that they
3 responded with some, some not too surprising but very
4 alarming kinds of reactions to the civil rights movement.
5 and civil rights activities with regard to Wyoming.

6 He suggested that minorities after they've been
7 trained, and after they have been interviewed, that
8 some of them very, some of these ingrates don't even bother
9 to show up for the job afterwards, you know, we go through
10 the whole process of training and interviewing the people
11 and my God, what more do they want and then they don't
12 even have the decency to show up for the work.

13 Well, I suggest that perhaps there's something
14 inherent in the training and the interviewing process that
15 is giving these individuals the message that, yes, well,
16 I'll put up with you while I'm training you and I'll put
17 up with you while I'm interviewing you but Jesus, I wish
18 you wouldn't come to work here and these kinds of things,
19 I think, unconsciously, and maybe even consciously, are
20 transmitted to minority clients when they go and subject
21 themselves and I do mean that, subject themselves, to the
22 interviewing and training process at the hands of well-
23 meaning business entrepreneurs.

24 It seems to me that there is at least, at work, depend-
25 ing upon, I mean if you believe at all or listen at all to

1 some of the attitudes that were expressed by some of the
2 people who were responding to the questions that Mr. Bowman
3 presented to them in his letter, that there is at least
4 a systematic effort on the part of employers to exclude
5 minorities. That they in fact will make every effort to
6 hire someone who is not qualified, so that when the
7 person does fail to show up for the work, or does fail
8 in the performance of an activity, that they can in fact
9 say, well, that's the fault of affirmative action, that's
10 the fault of civil rights, and that's what I get for
11 trying to be a nice guy and trying to hire that Black or
12 trying to hire that Chicano or trying to hire that Native
13 American, and they can't cut it, they can't do the job.

14 I would submit to you, Ladies and Gentlemen, that I
15 wouldn't be surprised if there isn't a systematic and
16 even devious effort on the part of business people in this
17 country to sabotage the civil rights and affirmative
18 action programs in this country by deliberately hiring
19 people who can not perform the duties, who can not perform
20 the responsibilities of a particular, given operation, that
21 is not to say that minority people are not qualified, and
22 I have heard it, I heard it yesterday, I heard it this
23 morning, and I've heard it now for, since I've been able
24 to hear, I've heard this kind of thing.

25 That we can not find qualified minority people. And

1 frankly, I'm not sure where they're looking.

2 I'm also amused by the saying that this man or this
3 woman represents a pillar in our community. And sometimes
4 I wonder if some of those people -- or a past..... isn't
5 probably more responsive, more sensitive and even more
6 hearing than some of these pillars of the community that
7 we're talking about, some of these people that are analagous
8 to these supports that we have in our community.

9 If in fact these people are supports of our community
10 and of our institutions and pillars of our society and of
11 our community, little wonder that we have the difficulties
12 that we're having, little wonder that we're having the
13 troubles that we're having, and that these people are
14 turning in the other direction and saying we have no
15 problems. We have no difficulties here.

16 Well, Mr. Bowman went on, he had many, many things
17 to say. One of the things that he did say was that he
18 thought that Cheyenne had a rather fine educational system,
19 of course he wasn't here yesterday to hear Dr. Lucero
20 talk about the 80% dropout rate but then he turned right
21 around, made this not even very dramatic 180-degree turn,
22 so quickly that I was dizzy and I was sitting down, that
23 he says young people are coming to us, he said, and my God,
24 they can't even read and they can't even write.

25 And I was saying, well, maybe I can't hear after all,

1 I thought he just said that we have a fine educational
2 system here in the City of Cheyenne.

3 But now this man, this pillar of our community,
4 this president of the chamber of commerce, this enlightened
5 and educated man, is saying, we have young people coming
6 to us who can't read, who can't write, and how on earth can
7 we qualify them for positions of responsibility and positions
8 of employment in our community?

9 I wonder sometimes if Mr. Bowman or Mr. Hesson or
10 some of the other good people who I'm sure are well inten-
11 tioned, take the time to listen to what kinds of things
12 they're saying or take the time to listen to what they're
13 talking about. Particularly with regard to the fact that
14 it was pointed out to us yesterday, one of the first things
15 that was pointed out to us on the educational panel yes-
16 terday morning, was that the allocation at Laramie County
17 Community College for remedial programs has more than
18 tripled.

19 Okay, so if we're talking about a funding level that
20 has more than tripled in one year, okay, in one year, then
21 how can we say on the one hand that we have a very fine
22 educational system in the City of Cheyenne, okay?

23 The state organization for school boards is saying,
24 we need a proficiency program in this state, we need a
25 testing system so that we can find out whether or not our

1 young people are proficient, whether they are functional.
2 And then Bowman comes along and says we have a fine system
3 here.

4 Hesson comes along and says, we have no problems in
5 the State of Wyoming. Ordinarily I wouldn't be alarmed
6 so much by these kinds of things except that when you look
7 at the positions that these men are in, regardless of what,
8 how they earn their daily bread, Mr. Hesson is the president
9 of the Wyoming Education Association, I have been involved
10 in education for a number of years and I fancy myself an
11 educator, I think with that captain at the wheel, Ladies
12 and Gentlemen, I suggest to you that teachers in Wyoming
13 are in trouble. Because I don't think that that man --
14

15 (Applause)

16
17 -- well, let me say that I'm heading for the lifeboat.

18 And then Mr. Bowman, charming, delightful, winking
19 Mr. Bowman, -- well, he's the president of the chamber of
20 commerce. Now, I don't know what the chamber of commerce
21 means in Cheyenne, Wyoming, but in Laramie, Wyoming, it's
22 a very prestigious position, this man's in charge, I mean
23 he's got his finger on the pulse of business, okay, and
24 the money flow in a particular city. I know in Laramie they
25 do. The president of the chamber of commerce in Laramie --

1 well, this is going on the record, isn't it? Is a nice man.

2 But very much like Mr. Bowman, he is a pillar of our
3 community, and I wonder sometimes if he listens to some
4 of the things that he says or if he is cognizant of some of
5 the remarks that he makes with regard to situations.

6 I would submit to you, Ladies and Gentlemen, that
7 in spite of what Mr. Bowman suggests and in spite of what
8 Mr. Hesson has suggested, that we do in fact have some
9 problems in the State of Wyoming. We do in fact have a ways
10 to go with regard to affirmative action and with regard
11 to civil rights.

12 Women's rights are not being protected in the State
13 of Wyoming. Native Americans' rights, Chicanos' rights
14 and Blacks' rights are not being protected in the State of
15 Wyoming.

16 Farmers' rights, from what this woman has told us
17 this morning, this afternoon, are not being protected in
18 the State of Wyoming.

19 Then who is being taken care of in the State of
20 Wyoming? Who is being protected? Teachers are not being
21 protected, I mean I'm not a member of the Wyoming Education
22 Association, or there would have been one less vote in the
23 box for Mr. Hesson, but I just wonder who is putting these
24 people in the positions of authority?

25 Who is putting these people in the places where they're

1 at where they're making the determinations for the direc-
2 tions and the outcomes of our lives? And why are we not,
3 then, as people who are affected by and touched by and --
4 well, at least discriminated against and held back by the
5 kinds of decisions these people are making, why aren't we
6 making a move to place ourselves in those kinds of posi-
7 tions?

8 I would suggest that the Commission on Civil Rights
9 in the State of Wyoming has its hands full and I think
10 that the commission is realizing or I hope what the com-
11 mission is realizing or members of the commission would
12 realize, is that you have some talented, some capable and
13 some qualified minorities, you have some women who are very
14 anxious to achieve and who are very ready to achieve and
15 to assume leadership roles and who have assumed leader-
16 ship roles in the State of Wyoming, and I would suspect
17 and I would suggest and I would heartily encourage that
18 the commission make notes of these individuals and utilize
19 the talents that have been presented here that have been
20 exposed here in these last couple of days to make some
21 positive and progressive and aggressive steps toward equali-
22 zation and toward civil rights and toward a meaningful
23 and humanistic affirmative action statement and policy
24 approach in the State of Wyoming.

25 So that we can prove people like Mr. Hesson wrong

1 and we can prove people like Mr. Bowman if they are going
2 to listen to themselves, prove to them that we do in fact
3 have some problems here.

4 And that we do in fact need to mobilize and utilize
5 all of the resources and I'm not suggesting that we
6 alienate people like Mr. Bowman or people like Mr. Hesson,
7 but I think we need to help them, I think we need to help
8 them realize that there are in fact some difficulties
9 here, we do in fact have some areas where we need to do
10 some work.

11 And we can certainly use these people and their
12 resources and their talents and their abilities.

13 Thank you very much.

14
15 (Applause).

16
17 " THE MODERATOR: Thank you, Tony.

18 I would like to say that we do not have a Wyoming
19 Commission on Civil Rights, we have a regional office that
20 takes care of, is it five states, four states?

21 MR. LEVIS: Six.

22 THE MODERATOR: Six states, we have an advisory
23 council to the regional office on civil rights, of 11
24 volunteers, and we meet about every three or four months
25 and we do study problems and bring them to the attention

1 of those that are concerned, and we study, we take a project,
2 we completed a survey on how abortion was handled in
3 Wyoming after that supreme court decision, and the regional
4 office, with the Wyoming Advisory Council, has put together
5 this consultation, but some people do think that there
6 is a Wyoming Commission on Civil Rights, and as it was
7 mentioned this morning, that Monica Spellman told of the
8 Colorado commission, and their budget was what, \$100,000.00
9 or something?

10 MR. LEVIS: A million.

11 THE MODERATOR: And we have 11 volunteersworkers
12 in Wyoming. With no funds.

13 Betty? Can we hear from you now?

14
15
16 BETTY CHAVEZ HOLCOMB

17
18 A (By Ms. Holcomb) My name is Betty Chavez Holcomb,
19 I'm from Rawlins, Wyoming, and I'd like to thank Sr. Mendoza
20 very, very much for making the -- for being so eloquent in
21 his recapitulation of what's been going on here for two
22 days.

23 He has, however, taken the wind out of my sails, now
24 I find myself being in a position of simply opinionating,
25 which I'm always very interested in doing, and that's what

1 I'll do.

2 I think it's long past the time in this country for
3 the dominant society to bend over backwards in allowing
4 minorities, women, the handicapped, entry into status
5 positions, power positions in employment, in quality
6 education, and in all those other areas in our society that
7 assist in the process of development of positive selfimage
8 and good identity. It goes without saying, but really
9 well worth repeating, that this should be accomplished, it
10 should be allowed to happen within the framework of our
11 pluralistic society. Within the framework of our dif-
12 ferences rather than in the direction of trying to make us
13 one group.

14 Affirmative action is a concept which theoretically
15 allows this to happen. Fair employment practices is a
16 concept that theoretically allows this to happen. Equal
17 employment opportunity theoretically allows this to happen.
18 The various educational titles that I'm not completely
19 familiar with myself, theoretically allow this to happen.

20 The monitoring for compliance by federal agencies
21 theoretically allows this kind of thing to happen. And we
22 could go on and on and on and talk about the theory.

23 But practically, and in reality, what do we have?
24 We have understaffed, underpaid, overworked, angry, frus-
25 trated people in governmental agencies with backlogs of work,

1 of cases, we have equal employment opportunity officers who
2 are frustrated by the demands and pressures of opposing,
3 differing views, of having to more or less speak for every
4 different group in the community.

5 We have large numbers of poorly and undereducated
6 children coming out of our schools, we have frustrated and
7 angry victims of unfair employment practices, and finally,
8 we have a frustrated and angry, and somehow extremely
9 apathetic citizenry.

10 I don't have any answers today, that is I don't have
11 any answers that I'm going to talk about. I do think I
12 have a lot of things that I could talk to you privately
13 about. I do bring with me and wish to insert into the
14 record of this consultation and hearing, my anger and fear.

15 If we Chicanos and Blacks, women, and handicapped,
16 Native Americans, and other aggrieved groups in our society,
17 if we do not come to grips with, and challenge those
18 efforts being made by people like -- misguided or otherwise
19 or unintentional or however, but the kinds of attitudes
20 that were expressed here by Mr. Hesson and Mr. Hartley
21 yesterday, and Mr. Bowman this morning, if we don't come
22 to grips with that kind of thing and challenge it, that is
23 we, the minority group, the Black and the Chicano and
24 the Native American and the handicapped, if we don't do
25 something about that, we're going to hold back any kind of

1 progress that we think we've made.

2 The question of reverse discrimination is something
3 that troubles me very much. The statement implies the con-
4 cept implies that people in a minority group can't make
5 mistakes. We don't have the freedom to discriminate, it's
6 called a reversal somehow, if Mr. Burry discriminates
7 against me, it's discrimination. If I do something that
8 is considered discrimination it's --somehow it's a reversal
9 of that process.

10 I'm here today to reassert my right as a citizen
11 of this country, as a minority, that I, too, can make mis-
12 takes. I should be allowed to make mistakes, I should not
13 be fired because I cost the Mountain Bell Phone Company
14 \$900.00.

15 Thank you very much.

16

17 (Applause)

18

19 THE MODERATOR: Thank you, Betty.

20 Mr. Reed?

21

22

23

WILBUR REED

24

25

A (By Mr. Reed) My name is Wilbur Reed, and I'm from

1 Denver, and I'm with the community relations service of
2 the department of justice.

3 Some of you sitting out there are familiar with the
4 type of work that my office has been involved in for a
5 number of years. And of course, some of you sitting out
6 there are not.

7 I'm involved in conflict, and I mean conflict in the
8 rawest sense, I mean conflict in its ugliest sense, I mean
9 conflict in its most devastating sense. Racial conflict,
10 conflict where communities are refusing to bend, wanting
11 to adhere to the status quo, not allowing minorities to
12 assert themselves in many different areas.

13 In housing, in education, in the administration of
14 justice, in community development, and across, across the
15 board.

16 I have been involved in this area for the last eight
17 years. What our agency attempts to try to do is bring the
18 communities together, meaning the majority community, those
19 people holding the carrot or the power, so to speak, and
20 the minority community, those people that perceive them-
21 selves and are indeed on the outside.

22 We try to do this in several ways. One, the basic
23 way is through some sort of negotiations process. The
24 other ways are through conciliation, which is a less formal
25 process, where some of our staff people will go in and try

1 to assess what the situation is, who the key parties are,
2 how can we get these people together, how can we sit down
3 and begin to establish a meaningful dialogue, open channels
4 of communication between the established order and the
5 minority community.

6 And through another process, which is known as
7 mediation, which indeed is a more formal mechanism and in
8 that process we try to get people to sit down across from
9 the table and assert or discuss what their concerns are.
10 And how can the problems, historically, be overcome, the
11 racial conflicts. The strife, so forth.

12 We've had many cases around the region and unfor-
13 tunately I'm not in and out of Wyoming for a number of
14 reasons which I'll perhaps discuss later, but around the
15 country we've been involved in all of the court ordered
16 busing situations that you've read about, for example in
17 Boston, we were the ones that, we were written into the
18 judge's court order to try to bring some kind of sanity to
19 a situation which was totally insane it seemed, in Louisville,
20 in Detroit, and of course the internationally renowned
21 crisis of Wounded Knee.

22 I personally spent 40 days there. And being a bureau-
23 crat or a fed., I don't care how you want to label me, I
24 want to tell you that for a long time our agency was on
25 the outside because we were perceived as being advocates for

1 the minority community. By our so-called sister agencies,
2 and we received a lot of flak. We received a lot of flak,
3 from the various agencies within the justice department,
4 they wanted to know why we were going in and out of
5 Wounded Knee and how come we were allowed to go in and
6 they weren't.

7 They wanted certain information from inside the
8 hamlet that we, under the confidentiality clause, was not
9 allowed to pass on to anyone. Because that was not our
10 role. Our role was to open channels of communication,
11 keep the channels open, and try to prevent violence.

12 And oftentimes we have been successful at doing so.
13 Other times we have not. I've heard the two people to my
14 right speak in terms of individuals that have certain
15 attitudes that it's difficult to work through from my own
16 perspective when I go into a city or a town, on the
17 reservation, wherever, a lot of times it's difficult to
18 cut through that attitude. To see just what you are going
19 to try to come up with this time.

20 Sometimes it's like playing a game of Russian
21 Roulette.

22 What in the hell are you going to do to get this man
23 or this woman to understand that here are a group of
24 citizens out here that historically have been denied due
25 process, perhaps in the courts, a lot of other problems,

1 discriminated from the job point of view, their cultural
2 heritage has totally been ignored, how do you come to grips
3 with that?

4 How do you sit somebody down and say, look, you got
5 these problems. Number one, we're not invited in a lot
6 of times, we come in on our own volition. In other words,
7 I mean if we hear about a racial problem in Cheyenne, some-
8 one mentioned the Central High School incident two years
9 ago. I was here, I can't report tremendous success in
10 that situation, but I can say that some of the tension that
11 existed in that community at Central High School at that
12 time might have been reduced.

13 There were a lot of attempts, as some people in this
14 room will tell you, at trying to get to school adminis-
15 trators, and board of education members, and get them to-
16 gether to hear the minority community's point of view.

17 I remember the book ban situation that was here, just
18 about a year ago, I was here again to try to develop some
19 kind of mechanism, if you want to call it that, so that
20 people could speak to the issue and to the right, that a
21 publication is not a violation of the law.

22 But for some reason or another, the powers that be
23 decided that this particular publication wasn't fit to be
24 read when there were other publications, in my opinion, that
25 I saw, that I had an opportunity to review, that were far

1 worse. But it boiled down to me as I saw it, in that par-
2 ticular domain at that time, down to a racial situation.
3 And an attitudinal thing and how was this, and how was
4 this going to be changed?

5 A lot of times our strength, our strength indeed
6 lies in the willingness on the part of communities to cooperate.
7 It lies in the strength of minority communities bringing
8 to attention, our attention, around the country, what's hap-
9 pening in their communities.

10 Every Monday morning, in Washington, under this
11 administration, we have been allowed, and I say CRS⁶ of
12 the justice department, we have been allowed to sit on the
13 inside and I mean sit on the inside of the -- at a
14 luncheon with the attorney general, and this is something
15 new to us.

16 We have the opportunity now to discuss with him, as
17 I indicated every Monday morning, what's happening around
18 the country. And we do indeed make reports about com-
19 munity racial trends.

20 And we think that our input now is at least listened
21 to, we think we have a lot to say, sometimes now, about
22 what direction the department's going to move into.

23 Let me give you an example. I don't know what hap-
24 pened yesterday, of course, I wasn't here, but on the other
25 hand, I am quite familiar with what's happening in the area

1 of the economic development administration and the LPW
2 programs, we are working very hard at this time and I will
3 say very hard, somebody mentioned the word frustrated
4 bureaucrat, and with a limited staff, we have a limited
5 staff and yes, we are frustrated.

6 But we have the charge of working with the economic
7 development administration, and local public works officials
8 around this region.

9 Two weeks ago I was involved in a seminar in Rapid
10 City, South Dakota, where the agency brought together ten
11 individuals from ten different federal agencies, SBA, EDA,
12 and a number of other agencies. What we tried to do was
13 get as many minority community entrepreneurs, business
14 people there, in this case Indian contractors, to have
15 these officials interpret the new EDA law to them, which
16 called for a 10% set aside for minorities across the board.

17 Historically and this is, in this particular situa-
18 tion with a new law coming up, there was no exception, the
19 majority community meaning the White business community
20 was trying to figure out another way of how to get around
21 the 10% set aside.

22 They spent hours and hours and hours trying to figure
23 out how to get around the 10% set aside, and would spend
24 two million dollars to keep from having to give up one.

25 And this is what this particular conference was about.

1 Through our agency we brought these people together.
2 What solutions came out of that? We did have some commit-
3 ments by some officials, to begin to speak to this concern
4 and they found out that the justice department legally, from
5 our legal arm as well as our conflict resolution arm, was
6 beginning to be interested in this to see what was going
7 to happen, and not, I hate to use the term monitor, but
8 stay on top of it, and I think we have been lately, to
9 see to it that LPW projects around this region, meaning
10 North Dakota, South Dakota, Wyoming, Montana and I've
11 been working in other parts of the country too, would begin
12 to speak to this concern.

13 Recently we had a job close down in Montana because
14 that particular White contractor claimed he couldn't find
15 a minority Indian construction firm.

16 Well, the job was closed down, it was just
17 flatly closed down because we were able to get EDA, the
18 civil rights wing of EDA, to become involved in this.

19 Now, that's a trend. That's a new trend because
20 EDA is something, not EDA but the LPW projects of EDA is
21 something new.

22 It's my understanding that someone mentioned that
23 they didn't have any enforcement authority in that particular
24 area, some of EDA's office.

25 I question that simply because I've been with that

1 same office and found out that there are a lot of things
2 that they can do in that particular area and I happened to
3 be with one of the individuals in Rapid City at the time
4 who indicated that there could be some compliances.

5 Well, moving away from local public works programs,
6 and community development activities, as you may or may
7 not be aware of the fact that this is a prime region around
8 area of the United States for energy development. And with
9 energy development you've had a lot of strife again, racial
10 strife, specifically in jurisdictional disputes on Indian
11 reservations.

12 We are currently involved in trying to work out a
13 mediation or a conciliation plan, we've just learned recently
14 that there is a great deal of interest in our conciliation
15 and mediation techniques, primarily because -- for
16 several reasons.

17 One, is that it might be able to negate some of
18 the long, drawn out litigation such as the problems that are
19 going on in the Big Horn River dispute up in Billings or
20 Harding, Montana.

21 It may be able to ease tensions immediately for
22 those people living contiguous or on reservations.

23 So we are beginning to look at that and that's
24 another trend that's going on around the country and we're
25 trying right now to come up with a process as soon as possible.

1 We'll be meeting in Billings in two weeks to see if
2 we can eliminate that. But these are all racial conflict
3 situations, racial problems, our agency is attempting to
4 try to speak to as many as we can.

5 Let me reiterate one point. The strength of what we
6 do is pretty much dependent upon the interest in the
7 community. We can come in and I can walk around Cheyenne
8 all week and if nobody wants to talk with me, everybody
9 wants to sit around and I get ten different answers or
10 play games, well, then there's not going to be too much
11 done about whatever it is that you'd like to have done,
12 but we certainly can get the ear of those officials, the
13 chamber of commerce people, the head of the local education
14 associations, and sit them down quite frankly, and begin
15 to discuss ways and means to kind of eliminate some of the
16 problems.

17 We certainly don't have all the answers, sometimes
18 we've been accused of -- been accused of being the problem
19 rather than the solution, and all of that, but yet we have
20 opened channels of communication where there was no
21 channels of communication between the minority community
22 and the majority community.

23 And on other occasions, we have been able to be quite
24 effective in speaking to racial concerns.

25 Somebody mentioned earlier again, too, I'd like to

1 just speak to that just for a second. About the establish-
2 ment of a human relations commission for the State of
3 Wyoming and that Colorado had one.

4 I used Colorado people a year ago to help us in
5 North Dakota where the State of North Dakota too didn't have
6 a human relations commission and they still don't, but
7 they're closer, I think, to one than they have ever been,
8 in that they put together a task force to study it, they
9 voted on it last year and it lost through the legislature,
10 I think the bill was defeated five to three.

11 And that was unfortunate in that there were two
12 different groups there that had similar concerns, similar
13 interests, and I won't go into the names of the two groups,
14 they weren't racial groups but they were interest groups that
15 had similar concerns, similar interests, and they ended
16 up bumping heads because they, one group wanted control and
17 the other group wanted control so they could not compromise
18 in some way.

19 That was indeed unfortunate.

20 Now, the funding for that particular commission
21 for the State of North Dakota, was going to be initially
22 \$60,000.00. And of course it would graduate from one year
23 to the other until perhaps it might get to be \$200,000.00
24 or a million dollar project, like the Colorado Commission is.

25 But the point is that it's needed in North Dakota,

1 it's needed in Wyoming, because I know that through our
2 community relations training, community racial trends
3 index, there are a lot of problems here.

4 We like to be called in by officials, we like to
5 be called in by community groups and we have enough to
6 do and we don't have to go out and try to stir up action.

7 Our agency is certainly one with five professionals
8 in it, we don't have to run around trying to find what in
9 the world we're going to do, where we're going to go or
10 what kind of business we're going to generate, because
11 business is generated in North Dakota, South Dakota, Montana,
12 Wyoming, Minnesota, and I just returned from Minnesota
13 along with another colleague of mine.

14 At this point I'll shut up and entertain questions,
15 any of you would like -- I'm sure that you'd like to maybe
16 get more in depth as to some of the kinds of cases we've
17 been involved in and what solutions, if any, were brought
18 to bear on them, some of them we did, most certainly were
19 instrumental in having something worked out and some of them
20 we didn't.

21 Some of them, ~~we're quite frankly~~ were not able to
22 handle the situation.

23 Thank you.

24
25 (Applause)

1 THE MODERATOR: Thank you, Mr. Reed, and thank all
2 of the panelists for the -- their presentations and the
3 work that they did preparing their papers.

4 Anyone have any questions, we'll have them now.

5 Q (By Ms. Johnson) Alberta Johnson: I have a ques-
6 tion for Ms. Boyd.

7 My question is, isn't that 160 acres that's only --
8 is that 160 acres per farm or 160 acres per family member?

9 A (By Ms. Boyd) It's -- it goes by a lineage, like
10 father and son, you know. Like my husband could have 160
11 acres and I could have 160 acres.. And --

12 Q And your children?

13 A And the children. However, right now 320 acres between
14 my father and my mother who live adjacent to us and us, has
15 brought us, you know, owns 320 acres just among five of us,
16 have brought us to where we've lost \$20,000.00 in the last
17 year -- or three years, excuse me, just on our place and
18 my folks, I don't know, their land payment, of course, is
19 a great deal less than ours, and even that isn't enough.

20 And it's not really the idea of how much land would
21 be, but it's the fact of who would be ending up with this
22 land that goes into the lottery and Secretary of Interior
23 Anders, has the decision to make as to whether the sale price
24 is too extravagant, there's too much profit made, he can
25 adjust the price and then it's irrigated land being sold at

1 dry land values and right there the investment is just
2 going to be devastating.

3 Q Well, my understanding is that one of the reasons
4 that the Carter Administration brought up this law was
5 to break up the large holdings by agribusiness, which you
6 were not too happy about, in the Imperial Valley in Cali-
7 fornia.

8 Now I understand that this is different in Wyoming,
9 but it seems to me from what I've been reading and
10 talking to people who are interested in agriculture,
11 that this may be a necessary thing and I think that that
12 should be brought out.

13 A Yes, and in that case I agree, but you know Senator
14 Hanson has a new bill out to exempt part of Wyoming from
15 this breakup because the overall implementation of the law
16 would not be in the best interests of all concerned, so I
17 think maybe if Senator Hanson's bill can go through, that
18 that will start a precedent for saving other, you know,
19 just small farm operations and not the gigantic ones.

20 And I understand that someone said last night at the
21 farm bureau meeting, there was 700,000 acres cotton land down
22 there in California somewhere that was believed to be in
23 the hands of Standard Oil, and that would be a big problem,
24 so yes, I agree with you.

25 So I think we just need to look at each individual

1 situation and not have an overall blanket rule.

2 Q Okay. Now, I, since this is the community reaction
3 panel, I have a comment to make.

4 When the U.S. Civil Rights Commission was started
5 it was started because of the protests of Black people
6 in this country who thought that the U.S. Government should
7 step in and do something about the oppression that they
8 were suffering, and I, in the last two days, at this
9 Wyoming Advisory Panel, I have not seen any Black people
10 except one from the Wyoming community on this, on the
11 panels. And today Mr. Levis told me, I'm also president
12 of the Cheyenne branch NAACP and Mr. Levis told me that he
13 had meant to send me a letter but he didn't have my
14 address.

15 Well, I submit that there are people in this room
16 who know who I am, and that he knows and who could have
17 found the president of the NAACP, but I also want to say that
18 there are several Black people in Wyoming who would have
19 made an outstanding addition to the panels, and so that
20 the Wyoming Advisory Commission to the U.S. Commission on
21 Civil Rights will know about them, I want to name some of
22 them.

23 One of them is Ms. Lili Batua (Phonetic), who is on
24 the mayor's commission, the mayor's council on housing and
25 urban development in Cheyenne, which advised the mayor about

1 all housing and urban development which is -- where federal
2 funds are involved, she's been on this panel for two years
3 and she should have been on the -- she should have been
4 invited to speak on the housing panel.

5 Ms. Maryann Johnson has been health care specialist
6 at the Laramie County Health Unit for the last five years,
7 she presently works for Union Pacific Railroad and she's
8 also a housing officer for the NAACP, she would have been
9 an excellent addition to the health care panel.

10 And also to the housing panel.

11 In the education commission, could have invited Lou
12 Brown, who's counselor for Central High School, and the
13 psychologist or any of the Black teachers such as Ms. Gloria
14 Dina Stevenson, who was librarian at McCormack Junior High
15 School or any number of Black students at the University
16 of Wyoming or at LCCC in employment, Gloria Monroe from
17 Casper is an attorney and she's formerly with the EEOC
18 in Denver, she lives in Casper now and she works for the
19 Wyoming State Employment Service.

20 Or Ron Jeffrey, who is a member of the fair employ-
21 ment practices commission or Lucille Wright, who was
22 formerly a member of the fair employment practices com-
23 mission.

24 On women's rights, the panel could have included Ms.
25 Maryann Tyler, who is a displaced homemaker or Ms. Shirley

1 Wilson who works with Black women and has formed a club
2 and also works for the Social Security Administration.

3 And I really feel that as long as Black people are
4 not invited to speak on panels before the commission on
5 civil rights, then there's a great deal of significance
6 even in Wyoming, that's left out, and we feel that it is a
7 sham and a farce not to have invited more Black people,
8 especially from the community of Wyoming, to speak at this
9 panel.

10 And I don't need any response to that, I just wanted
11 you to know it, I wanted it in the record.

12 THE MODERATOR: Thank you, Alberta.

13
14 (Applause)

15
16 Q (By Ms. Mercado): I just want to say one thing to
17 Helen Boyd, I think it's interesting that just I would say
18 that just I think three to four years ago the farmers were
19 condemning the United Farm Workers Union and farm workers
20 for striking and boycotting with their income of \$2,000.00
21 and below, and you're taking on this as a strategy to do
22 something with your movement in Wyoming and one of the biggest
23 opposers of that is Dave Litner.

24
25 (Applause)

1 A. Now I don't understand, what was this about the
2 workers, the \$2,000.00? I wasn't aware of that.

3 Q. The national figures say that farm workers, people
4 who work in the beet fields, pick cotton, their average
5 income is \$2,000.00 a year or less, and what I'm saying is
6 that when they started the boycotts in California, and
7 spread east into the bigger cities, into Colorado, they
8 didn't reach Wyoming, they did in many ways, the Wyoming
9 campaign for human development did some things as far as
10 Wyoming is concerned, and what I'm saying is these people
11 were being condemned four and five years ago and farmers
12 were fighting the boycott and they were fighting strikes,
13 because these people were trying to improve living con-
14 ditions.

15 And they aren't talking about 50 and \$60,000.00 losses,
16 they're talking about earning \$2,000.00 a year, working out
17 in your -- working out at your farms and I'm saying that
18 I think it's interesting that all of a sudden this is what
19 you're taking on as one of the things that you're going
20 to work with.

21 A. Now, just take, you know, being from a feedlot
22 operation, I don't know siggen about, you know, anything
23 about beets or anything, and I know, and it's interesting,
24 I think probably at that time I don't know what the -- what
25 the argument was unless they thought the cost of production

1 was going to go up or something like this, and I don't
2 know what.

3 Now, was this with -- was this with lettuce?

4 Q I'll tell you what the problem was, I feel that
5 the farmers all over the nation didn't want to improve
6 conditions for farm workers, migrant workers and I think
7 that's what the real problem was. They felt that they
8 could provide better housing for their livestock and their
9 tractors than they could for migrants, and I saw it with
10 my own eyes, I worked ten years with migrants in the
11 Worland area, I know what kind of housing they lived in.
12 I know what kind of housing their cattle and their tractors
13 have, so you know, that's all I have to say.

14 A Just a second, no, if you don't mind I'd like to,
15 I'd like to ask you, because my folks, a long time ago, did
16 have Spanish Americans come and work and I can't remember
17 whether it was potatoes or something we don't make a living
18 at some time ago, and I know my folks had to fix up the house
19 and have the proper blankets and dishes and things like
20 this and of course this might have been a more protected
21 and better situation here than what it was back there, but
22 I think the overall feeling has changed throughout the
23 United States, that nobody thinks that anyone else should
24 be living at the bottom of the totem pole, that there
25 should be equality and fairness for all people, and maybe,

1 I don't know whether it's changed or not because I wasn't,
2 you know, I'm not familiar enough with it back there.

3 Q Well, I guess what I'm saying is I think it's
4 interesting that the farmers learned from the farm worker
5 the migrant farm worker, a good tool to use in their
6 fight.

7 A Well, I think, you know, talking about being able
8 to work, I would love to have somebody, and I don't care
9 if it's Negro, Chicano, whatever, come out to drive our
10 truck during ensilage time so I can cook a meal instead
11 of having to drive a truck and hopefully we can get our,
12 where we can be on an equal basis with other businessmen
13 and make a profit, if anybody, if you know of anybody who
14 wants to work especially during around Labor Day time.

15 Of course we always work Labor Day week end which is
16 kind of ironic, I suppose, people think they should be off
17 but that's when we have to cut corn, and I think that
18 you're going to see a change.

19 Of course, I was in a sorority with Mexicans from
20 Pueblo and Denver and Ruthie Vijil (Phonetic) and Paulie
21 Garcia were two of the greatest people in the world and I
22 lived with a Negro, so personally I don't think there's
23 anybody who's not as good as anybody else, no matter
24 what.

25 And -- no matter what the race as long as they're

1 able to work and I don't think they should be nasty to us
2 and I don't think we should be nasty to them.

3 Q Well, my next statement to that is we all know who
4 controls the farmland in the United States, certainly not
5 the minority group members.

6 A And that's a shame because I think you deserve to
7 have land just like everybody else.

8 Q We did.

9 Q (By Ms. Escalada) Lucille Escalada, and I have a
10 question for Mr. Reed.

11 I mean do you know or could you tell me anything
12 about what or whether your office is involved with this,
13 what are they doing about the water rights on the Wind
14 River Indian Reservation?

15 A (By Mr. Reed) I'll try to respond to that by saying
16 that number one, we haven't received a request to come
17 specifically to Wind River, but what we are doing now is
18 trying, through a national task force, to come up with a,
19 some kind of plan that we can work with the judges who are
20 going to make those decisions about the water rights, to
21 come in and see if we can be of assistance to those com-
22 munities and those areas to see if we can work out a plan
23 where nobody will lose, and I know that's difficult to
24 say where nobody will lose, but at least a plan where some
25 of this kind of tension and some of the violence and the

1 threat of violence can be eliminated, you see.

2 So right now, we are in the process of trying to
3 come up with some kind of national strategy to deal with
4 the jurisdictional questions, and as mentioned before,
5 a lot of times we have to be invited in by the federal dis-
6 trict judge.

7 If that judge doesn't invite us in from that par-
8 ticular community, from that particular district, we can't --
9 we can't begin to get into that act of litigation.

10 Now, he can order us in and say, the justice
11 department CRS will be the agency or the lead agency in-
12 volved in trying to come up with a solution, for the water
13 rights problems on Wind River, the Flat Head, or the Crow
14 agency, or any of the areas that are having this particular
15 problem.

16 But until that decision is made, we can not come in
17 and do much because it's hung up in the courts. So we're
18 trying to work through the courts to get the courts to allow
19 us to come in and be the official mediators or the official
20 people to come in.

21 Now, if we set a precedence in the Montana District,
22 we, of course, will be able to have a less difficult time
23 with the other districts around the country.

24 You see, this is how, in a lot of instances this
25 is how we got invited into the busing situation, and in

1 Detroit, Louisville and other, and Dayton, Ohio, and other
2 communities because the judges who had the case wrote us
3 into the court order and so mandated to that particular
4 community that we would be the agency that would take the
5 lead in the implementation process, the mediation process,
6 the conciliation process, and in the development of a
7 desegregation plan that would be workable to that par-
8 ticular, that would be suitable for that particular com-
9 munity, and the same, this is the same attempt we're trying
10 to make now in jurisdictional issues on reservations or
11 lands contiguous to reservations.

12 Does that answer your question?

13 Q Yes, it -- does the Wyoming legislation know about
14 this?

15 A Pardon?

16 Q Do they know about this?

17 A Well, we're not working directly in Wyoming right
18 now, we're trying to get into Montana first and this was
19 the first opening we've had to begin to work with that one
20 and then we'll hopefully be able to move to other districts.

21 We don't know if they're aware of it right now, I
22 rather think not.

23 Q Well, I talked to some of the legislators and one,
24 an answer that I got from one I asked him, you know, well,
25 really we're just looking for advice and I said what can we

1 do about it?

2 He said use it or lose it.

3 A Maybe we can talk a little bit after the meeting.

4 Q Okay, thank you.

5 THE MODERATOR: Betty Chavez has a comment to make.

6 Excuse me, Betty Chavez Holcomb.

7 A (By Ms. Holcomb) Yes. I'd like to make three
8 statements. Number one, I want to support Alberta Johnson's
9 position, I think that it is deplorable that Black women,
10 Black men in this community were not invited to sit on any
11 of the panels today or in the last two days.

12 I'd also like to suggest to the various women on
13 the women's commission, commission for women for Wyoming,
14 I'd like to suggest to them that there are several minority
15 women here today who would be very interested and very
16 excited and -- to become members of that commission. It now
17 has no minority representation.

18 I speak for myself and I think for a lot of the
19 women here, maybe not, that we -- that any one of us or
20 several of us could be very viable members of that com-
21 mission. I'd also like to say that at some point I think
22 it was yesterday, it was mentioned that the state official
23 who was supposed to be here listening to all these grievances
24 and so forth, presumably making notes and presumably passing
25 them along the -- into the state government mechanism, is not,

1 again not here. And I wonder if there's any state -- well,
2 I don't care, it's a holiday, we're here.

3 I just wonder if there is or has been anyone from
4 the state who is gathering this kind of information and
5 who's going to pass it on, you know, somewhere?

6 A (By Mr. Mendoza) May I say something?

7 THE MODERATOR: Yes.

8 A I just want to say that, with regard to Helen, well,
9 I can appreciate your position and I certainly can under-
10 stand what kinds of things you were trying to say, again
11 whether you realize it or not, implicit in some of the re-
12 marks that you were making is something that I'm very,
13 well, I'm going to say it to you so that you can get a feel-
14 ing of what it's like.

15 Some of my best friends are Anglos. Some of my best
16 friends are White people, and if you in fact know of any-
17 body who needs a job, you can refer them to me and I don't
18 care if they Irish or German or Swede, you send them on over
19 and I'll put them to work.

20 That's the kind of thing, okay, this is reverse,
21 all right?

22 We were talking yesterday and we were talking this
23 morning about reverse discrimination, okay? This kind of
24 mentality and this kind of attitude, while it's maybe not
25 intended to be a discriminating kind of remark or condescending

1 remark nevertheless, that's precisely how it's interpreted
2 by minority people when you suggest to them, there's nothing
3 wrong with you because you're Black or because you're
4 Chicano or because you're Native American, after all,
5 some of my best friends are, you know, blah, blah, blah.

6 I think that this speaks to a kind of an insensitivity
7 and perhaps that, as people we need to be aware of these
8 kinds of things. I think that what Ms. Johnson presented
9 to us just a few moments ago and very succinctly, I think
10 and very, very to the point, is that we, we systematically
11 exclude people from participation.

12 We exclude people with regard to offering them an
13 opportunity to interact freely and openly in our own lives,
14 and in our own kinds of functions we sponsor that we are
15 a part of.

16 We do a very exclusive and very detrimental dis-
17 service to minority people when we suggest to them that
18 we are so liberal and we are so open minded that after all,
19 some of our best friends happen to be people of color,
20 and I think that that's, that's cursive and I think it's
21 a little bit cursory, excuse me, and I think it's a little
22 bit revolting.

23 I think that as sophisticated, educated people we
24 need to be aware of those kinds of things because they're
25 offensive and they're obnoxious kinds of remarks.

1 Thank you.

2

3 (Applause)

4

5 THE MODERATOR: We have run out of time, we're over.

6 But we have time for one more statement.

7 Will you come up and give your name, please?

8 Q (By Ms. Laborn (Phonetic)). Margaret Laborn.

9 I'm sorry I wasn't here for more in the two days

10 but I just thought, I wanted to ask one question, with

11 all this expertise and it's really trivial but how could

12 we get a Black cheerleader on the Central High School

13 cheering squad?

14 Our Black athletes have won games for years and

15 for years very cute, very talented, very charming and my

16 apologies to the women, with kids in school a cheerleader

17 still means a lot, how could we get a Black cheerleader?

18 Any ideas?

19 MS. ROSE: No, Ms. Laborn. I am, I'm Ethel Rose from

20 the Cheyenne delegation, but speaking as you say has brought

21 up another question, Margaret.

22 I think the thing that I'm most interested in, and I

23 want to say thank you to Mr. Reed because I think he

24 opened up our minds to it, I think if we're going to get

25 anything done at all in our world of civil rights, we just

1 must think of the world as civil rights, and until we can
2 alleviate ourselves from a personal rights or a personal
3 individual feeling and get to thinking of a complete
4 civil rights.

5 Now, I am of the majority population, I suppose,
6 this means I am Anglo, White. But we have just as many
7 civil rights in our hard working, low income White as many
8 problems from the cheerleading section on up through the
9 employment, governmental section, as any other civil rights
10 group, for whom we fight, and it is instinct, it is
11 natural that each of us is going to fight for our own.

12 It's the same as it is in our families, blood is
13 thicker than water, and we're going to stand for our own,
14 and fight for our own, and until we can open our minds to
15 the needs in this country as a group or as citizens, and
16 not as individuals, we are fighting a losing cause.

17 And we'll never make it until we can open up our own
18 feelings as people, the same as we were to Helen Boyd.

19 I, too, was born and raised and lived in a farming
20 community in southwestern Minnesota. I remember when we
21 sold corn for ten cents a bushel.

22 And paid the worker to do it. But until we can
23 get to thinking of the need of the country, the betterment
24 of our place and not of individuals, we as human rights
25 people are going to -- we're going to fight cross purposes

1 and we're never going to come to any end except lots of
2 talk and no doings.

3 Thank you.

4

5 (Applause)

6

7 THE MODERATOR: Juana, if you'll give a closing
8 statement now, please?

9 THE CHAIR: I'd like to thank all the participants
10 for taking an interest in coming to this first consultation
11 on civil rights in the State of Wyoming. It was our pur-
12 pose as you might say, swansong-type of activity, for the
13 Wyoming Advisory Committee to the U.S. Commission on Civil
14 Rights, to coordinate this, to bring together local, state
15 and federal officials to talk about the laws that are
16 already on the books in the State of Wyoming.

17 And for those of you who are not familiar with all
18 the statutes that we have on record, there were books out
19 there, it's called the Unfinished Business. And to find
20 out what the problem areas were.

21 We were told many things by many people in the past
22 two days, and as Betty Chavez Holcomb pointed out, we were
23 hoping that each government agency, local, state and
24 federal, because that is the system we live under, with
25 a governing constitution, both at the federal level and

1 at the state level, we were hoping that those people would
2 at least monitor the panel discussions and listen to the
3 citizens come and ask questions from the floor, which all
4 of you did and I'm glad that you participated.

5 Yet, as you know, we don't have anyone here from
6 the government -- the governor's office, we don't have
7 anyone here from the state attorney, and, and most important,
8 we do not have anyone here from the two political parties,
9 and Ladies and Gentlemen, I want to say this is the
10 name of the game.

11 Politics is the name of the game. And pretty soon
12 you will be bombarded with a lot of propaganda as to
13 which party is going to do us the most good.

14 What I, as Republican and I, as Democrat, can do
15 for you, if you give me your vote.

16 And they will come to the minority person, they will
17 come to the low income person, they will come to the
18 laboring forces, and give us this pitch.

19 I now want to take the privilege of my status as the
20 chairperson for the Wyoming Advisory Committee to the U.S.
21 Commission on Civil Rights and say that for Wyoming,
22 until all those statutes that are enumerated in that book
23 are enforced to their fullest extent, we can not call
24 ourselves Wyoming, the equality state.

25 Thank you all for coming.

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(Applause)

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(Consultation adjourned)

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STATE OF ARIZONA)
COUNTY OF PIMA) SS

I, JAMES E. BOULEY, do hereby certify that I am an Official Shorthand Reporter; that I was present at the hearing of the foregoing matter; that I took down in shorthand all proceedings had and testimony adduced at said hearing; that the same was thereafter transcribed under my supervision, and the foregoing 408 pages represent a complete and accurate transcription of my shorthand notes so taken.

WITNESS MY HAND this 20th day of November, 1977.

Official Shorthand Reporter