

policies and Pre-School Council employment policies, they would have shown the success in hiring Newark people for employment. More than 80% of the employees come from Newark.

If all of the foregoing information had been considered we seriously doubt that the council committee report would have charged an attempt to systematically exclude Newarkers from jobs within UCC.

In each instance, the screening and selection sub-committee of the personnel committee, headed by Mr. Francis S. Quillan, Senior Vice-President of the Prudential Insurance Company, interviewed and did the screening of the applicants. The sub-committee through the personnel committee then submitted the list to the Executive Director who made the selection from such list pursuant to the procedure earlier described.

It should be noted that there is no OEO or other agency regulation or directive requiring that key personnel come from the city to be served. Many top staff positions in the municipal government including the Board of Education in the City of Newark and elsewhere go to people outside of Newark, the objective being to get the best man for the job.

It is no different in CAP agencies. For example, the Executive Director of the Community Action Program in Paterson is headed by a resident of New York. We recently noted that Mr. Ralph Zinn, a resident of the City of Newark, formerly Assistant Executive Director of the Human Relations Commission, had been selected as Executive Director of the Community Action Program for Plainfield.

It is apparent from the foregoing that the claim of a systematic plan to exclude Newarkers from jobs is without foundation; it is contrary to the facts, and contrary to the declared UCC policy which has been carried out in the selection of employees. The committee conclusion in this regard is erroneous because it was based upon an inaccurate, partial listing of employees prepared by one of the members of the committee and it failed to duly consider the available evidence.

*The alleged lack of relationship between salaries, background of employees and services to be performed, and claim of excessive salaries*

The committee report, page 5, referring to the Bernstein list, Exhibit 10, contends that this document demonstrates a "lack of correlation between salaries paid, background of recipients and services to be performed". An examination of the document discloses four headings, to wit, "Name—Position—Address—Salary". Nowhere does this document reflect the "background" of any of the people named, or the "nature of the services to be performed". While one may speculate as to the services to be performed by an "Executive Director" or a "Community Action Director" or any of the other job titles referred to, this would only be speculation and should not be relied upon to support a charge of "lack of correlation".

The committee report contended that "... your Committee obtained factual information of great import ..." and continued, "We will explain these facts before we examine the paramount legal and economic questions involved" (page 4). What were the facts available before the Committee to support the charge of lack of correlation? What efforts did the Committee take to ascertain the background of the persons hired by UCC, or the job requirements, or comparable salaries paid for comparable services?

We respectfully submit that the Committee did not seek any facts in this area of their apparent concern, and even to the extent that they became indirectly available, the Committee chose to ignore them, and instead, to rely upon unsupported speculation. Only the Committee can answer why it proceeded in this fashion. We know, and the hiring procedures hereinbefore described prove the precautions taken to assure the best possible men for the jobs to be filled. We know, and the facts prove the close relationship between background of the employees hired and the duties required in the jobs they were hired to fill.

Among the documents given the Council Committee on September 8 was a list of job summaries, explaining in brief the requirements for various jobs with UCC. The Committee ignored this document and did not annex it to the report. We incorporated a copy of the job summaries in the Appendix as Exhibit XIV.

Had the Committee called a representative of the Personnel Committee of UCC, information on background of each person was available and would have