

gether, or else restricted to short, more menial "dead-end" lines of progression designed for Negroes.

Where, as was done at the pulp and paper mill of American Can Company, for example, dead-end lines are eliminated and Negroes are offered the opportunity to transfer to other lines, they nonetheless tend to remain in their former lines for a number of reasons. A principal reason is that employees are deterred by the fact that transfer to another line means starting at the bottom of the ladder again, losing seniority and suffering a reduction in wages in most cases. Such loss of seniority, in the case of Allied Paper, was described at the hearing as follows:

"Mr. GLICKSTEIN. In other words, if a man (who) was in the Wood Yard Department and had been there for eight years, transferred to the Maintenance Department, he would retain eight years of mill seniority but lose his eight years Wood Yard seniority and he would start at the beginning of the Maintenance line of progression?"

"Mr. HEARN. Yes, sir."

The resulting continuation of a predominance of Negroes in menial jobs was observed at the hearing in the case of Allied Paper Company and American Can Company. Mr. Biermann acknowledged that this is still common to the entire Southern paper industry.

Public Employment

While discrimination in Federal employment is forbidden by Executive Order,²⁰ there is no comparable Federal requirement applicable to State and local employment; Title VII of the Civil Rights Act of 1964 specifically exempts State and local employment from its nondiscrimination requirements.²¹ The Federal Government, however, does require that State employees engaged in administration of certain Federal grant-in-aid programs be employed under personnel standards that prohibit racial discrimination; Alabama has refused to amend its Merit System to comply with Federal law. Alabama's rules governing its system of State employment do not prohibit racial discrimination.

Federal Employment

The hearing provided evidence that the Federal policy of nondiscrimination in employment is not being enforced in the hearing area.

The two major sources of Federal employment in the hearing area are the Farmers Home Administration and the Post Office Department. These two agencies employ 650 persons, of whom only 42 are Negro.

Farmers Home Administration offices in the hearing area employ 39 persons, only 6 of whom are Negro. None of the 16 clerical workers employed by the agency is Negro.

Of 611 Post Office Department employees in the hearing area, only 36 are Negro. Eight of the 16 counties have no Negro postal workers.

State Employment

Through four principal agencies, the State of Alabama employs 560 persons in the hearing area. Of these only 82 are Negroes, and 38 of these hold part-time or janitorial positions.

The Agricultural Stabilization and Conservation Service (ASCS), which administers Federal crop control and other farm programs in each county, employs 203 persons in the hearing area, only 27 of whom are Negro.²² Of the 220 persons employed by the Alabama Department of Pensions and Securities, which administers the State's welfare programs, six are Negro. All of the six do part-time janitorial work.²³

²⁰ Exec. Order No. 11246, 3 C.F.R. Part I (1965).

²¹ 42 U.S.C. 2000e(b)(1).

²² ASCS county personnel are paid with Federal funds, but are not Federal employees.

²³ The five State Employment Service offices located in the hearing area employ 35 persons, 9 of whom are Negro. Four of the Negroes are Employment Service local representatives, who work in the Service's outreach and follow-up program and are paid on an hourly rate when and as needed. The remaining five Negroes are custodial and service workers. The fourth State agency examined is the Alabama Cooperative Service. Of 40 Extension Farm Agents, 17 are Negro; of 25 female Extension Home Agents, 14 are Negro.