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## House Bill Gains Minority/Women Support

by Jerry Garner

Two bills, House Bill 3364 and House Bill 3122, that deal with economic development as it affects women and minorities and the overall impact of Oregon's plans for economic development, received the support of minorities and women business owners during a three-hour public hearing held at the King Facility last Thursday.

The public hearing was sponsored by the Joint Trade and Economic Development Subcommittee on Minority & Women Businesses. Rep. Margaret Carter, D-Portland, chairs the subcommittee.

HB 3364, if passed by state lawmakers, will establish an Office of Minority and Women's Business. HB 3122 creates an Office of Economic Integration in the Economic Development Department. Its purpose is to create economic development strategies that assure participation of women and minorities in Oregon's economy. The bill would allow the office to accept assistance, grants, and gifts for the purpose of carrying out this mission.

Sponsors of HB 3364 include Carter, Rep. Rocky Barilla, Judith Bauman, Ron Cease, Shirley Gold, Darlene Hooley and Nancy Peterson; and Senators Jim Hill and Grattan Kerans. Rep. Gold is sole sponsor of HB 3122.

During the hearing, those testifying before the committee said stronger legislation is needed to ensure that women and minorities are given the opportunity to participate fully in Oregon's economy. They said that current legislation, such as ORS 279.059, which calls for contractors to make a good-faith effort to assist women and minority businesses, are inadequate.

"The good-faith requirements provide a blueprint for how to do everything except hire us. In fact, lack of clarity and often poor judgement on the part of those agencies administering the Minority Business Enterprise and Women Business Enterprise (MBE/WBE) programs, has led to a waste of time, money, and left many MBE/WBEs feeling used," said one woman who testified before the subcommittee.



The Joint Trade and Economic Development Subcommittee chaired by Rep. Margaret Carter held a public hearing at King Neighborhood

Facility last Thursday with a capacity audience.

Photo by Richard J. Brown

## FHWA Reports Show Minorities and Women Underutilized on Federal-Aid Highway Programs

by Jerry Garner

Minorities and women are not participating equally in the State's federal-aid highway programs, this in spite of the good-faith efforts that are geared to ensure nondiscrimination against the two groups, according to a consolidated review of 17 contractors in the tri-county area conducted by officials from the Federal Highway Administration (FHWA) and the Oregon Department of Transportation (ODOT).

In addition, the review report said special training provisions, which are intended to increase participation of minorities and females in skilled construction crafts, were benefitting "nonminority males" without showing that minorities and females were not available to fulfill training slots. The report concluded that the imbalances can be corrected if the State communicated to the FHWA its expectations in the contract compliance program.

The report was conducted to measure the affect of the good-faith effort that calls for 4.5% minority and 6.9% female participation in federal-aid highway projects. Of the 17 contractors reviewed, only two were determined to be in compliance. Six were found in compliance, but voluntary corrective action plans (VACP) were required to correct cited deficiencies, and nine were found in non-compliance based on prior determinations.

After taking a head count of 12 prime and 5 sub-contractors who do business with ODOT, the report revealed that of the 571 employees, 66 or 11.5% were minorities; forty-two percent of this figure were in the laborers' crafts, 27% were equipment operators, and 12% were carpenters. The report showed that, overall, women made up 7.0% of the companies' workforce. However, minority women represented less than 1% of all the contractors' workforces. There were only five minority women (2 blacks, 2 Indians, 1 Hispanic), three of which were employed in laborers' crafts. The review concluded that minority women were severely underrepresented in all crafts.

The review revealed the following:

- There were no women cement masons, out of a total of 24 employed in the craft.
  - There was only 1 female electrician out of a total of 87.
  - In addition, after reviewing statistical data of 94 contractors regarding employment, new hires, terminations, and trainees categorized by construction trade, ethnicity and sex, the report showed the following:
    - Out of 1,286 employees, 107 (8.3%) were minorities and 131 (10.1%) were women. More than half of the women reported were employed in the clerical category: 70 (53.4%).
    - There were approximately 33 Blacks (2.5%), 8 Asians (0.6%), 34 Native Americans (2.6%), and 28 Hispanics (2.1%).
    - Almost half of the minorities (41%) were employed in the laborers' crafts. The rest of the minorities were dispersed throughout the other construction trades. Equipment operators were the second predominant craft which minorities occupied.
    - There were no women ironworkers out of a total of 54 and no women mechanics out of a total of 52.
    - Out of 16 painters, there were no minorities and only 1 woman.
- Overall, the consolidated report was critical of the State, its contractors, and unions for not utilizing minorities and women. It said although the State has "outlined the process it uses for conducting reviews, which follows FHWA procedures, in practice, it appears that a different system is being applied, which does not bring about contractor compliance."
- "Based upon the information gathered from the reviews, it appears that the State's procedures for conducting reviews does not place the burden of proof upon the contractor to show that it provided equal employment opportunity. The State reviewers seem to be placing more judgement calls upon compliance determinations rather than material facts obtained from contractors. The State's enforcement effort needs to be strengthened,"

the report said.

The report said the State is placing contractors who are underutilizing minorities and females in an in-compliance status, even though they have submitted previous voluntary corrective action plans and corrective action plans.

It said the lack of minorities and women on federal-aid highway programs appears to be directly correlated with both remissness in unions dispatching them, and contractors not specifically requesting them by written notices to the unions and follow-up contacts thereafter. "Contractors need to be better educated on the State's compliance expectations."

"Contractors are not establishing their own minority/women employee referral sources which are likely to yield some, and the unions are either unwilling or unable to fulfill equal employment opportunity requests."

Willie Harris, director of the Office of Civil Rights for the FHWA, said he feels the consolidated compliance review process is a very effective affirmative action approach toward examining problems in the contract compliance program. Harris said the review process normally shows where the strengths and weaknesses are in a selected target area. He said, "One of its more beneficial and effective delineators is that problem areas can be shown that are peculiar to a select few of the contractors or all similarly situated contractors in a given area."

Harris said it's the belief of the FHWA that the consolidated review achieved the desired objectives of trying to find where and why minorities and women are not being employed in the Portland standard metropolitan statistical area (Clackamas, Multnomah and Washington Counties) in accord with their availability.

The consolidated review was conducted during the week of August 5-7, 1986. Three teams of FHWA and State personnel conducted the reviews on the project sites or at the project engineers' offices.



### Mayor Announces Anti-Drug Grocery Bag Project

On Thursday, April 30th, at 1130 hours (11:30 a.m.), in Room "A" on the 14th floor of the Justice Center, 1111 SW 2nd Avenue, Mayor Bud Clark, along with members of the Portland Police Bureau's Crime Prevention Unit and representatives of the retail grocery industry, will announce and display a new crime prevention/anti-drug grocery bag project. During the month of May, Fred Meyer stores, Safeway, Thriftway, Kienows, and other retail grocery industry members will donate advertising space on millions of their grocery bags to promote these messages. Representatives from the major grocery stores will be present to help kick off this project. Samples of the bags will be available at the press conference. For more information, contact Elizabeth Vieira, Portland Police Bureau Crime Prevention representative at 796-3137.