

Employer May Not Ask Prospective Worker Place of Birth, Neuner Says

Salem Ore., May 18—(U.P.)—An employer, under Oregon's fair trade practice act, may not ask a prospective employee where he was born, Attorney General George Neuner said today.

Neuner wrote the opinion for State Labor Commissioner W. E. Kimsey, who asked a clarification of the act, passed by the 1949 legislature.

The act provides that it shall be unlawful for an employer "to make any inquiry which expresses directly or indirectly any limitation specification of discrimination as to race, religion, color or national origin... unless based upon a bona fide occupational qualification."

Kimsey asked if these questions were lawful under the act: "No. 1. Where were you born?" "No. 2. If foreign born, are you now a naturalized citizen of the United States, and, if so, from what date?" "No. 3. If an alien or person with first citizenship papers, present registration card."

All Prohibited
Neuner said his opinion is that all three questions are prohibited under the act. Question No. 1, he said, should not be asked in any form. But questions 2 and 3 can be reworded "to elicit such information as the employer may require."

Neuner suggested that these be rephrased: "No. 2. Are you a citizen of the United States?" "No. 3. If not a citizen of the United States, do you intend to become such citizen?" "No. 3a. If you are not a citizen of the United States, have you a legal right to remain in the United States? Do you intend to remain permanently in the United States?"

Noting that the act defines "national origin" to include ancestry, Neuner said another question, "What are the names and addresses of your parents, should be altered: "What are the names of your parents? Give their addresses if within the United States."

May Check Record
As for the need of an employer to ascertain the identity and record of an applicant who may have been employed under different names by various employers, Neuner said: "It is our opinion that nothing prevents an employer from ascertaining whether or not an applicant has been convicted of a crime, served a penitentiary sentence, worked or sought employment under an other name,

Political Refuge For Czech Undecided

Washington, May 18—(U.P.)—U. S. officials said today that it would be some time before President Truman decides whether the United States should give political refuge to Dr. Vladimir Houdek, former top Czech delegate to the United Nations.

Houdek quit his post yesterday with a charge that Russia has destroyed his country's freedom. He sent Mr. Truman a letter asking for political asylum in this country for himself, his wife and their two daughters.

Under normal circumstances, the United States has granted asylum to refugees from "iron curtain" nations. But officials pointed out that Houdek did not renounce communism and that his admission into this country is opposed by former Czech Ambassador Juraj Slavik.

Slavik, a refugee himself, advised the state department yesterday to turn down Houdek's request.

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