

Human 1.
13
1961-62
03

1ST ANNUAL REPORT



1961-62

**West Virginia
Human Rights
Commission**



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION

451 STATE CAPITOL BUILDING

TELEPHONE DI 3-4411 • EXTENSION 2616

December 1, 1962

MR. HOWARD W. MCKINNEY
EXECUTIVE DIRECTOR

COMMISSIONERS

DR. THOMAS W. GAVETT,
CHAIRMAN
MORGANTOWN

MR. JAMES J. HARANZO,
VICE CHAIRMAN
WHEELING

RABBI SAMUEL COOPER
CHARLESTON

MR. HARRY H. JONES
WHEELING

MR. J. C. KINGSLOW
BLUEFIELD

MR. LESLIE A. MARTIN
CHARLESTON

MR. H. R. RICHARDS
PARKERSBURG

MR. ROBERT WELCH
HUNTINGTON

MRS. CHARLES W. WILSON, III
CHARLESTON

Letter of Transmittal

The Honorable William Wallace Barron
Governor of West Virginia
The State Capitol
Charleston, West Virginia

Dear Governor Barron:

We are enclosing a copy of the first annual report of the activities of the West Virginia Human Rights Commission covering the period from September 28, 1961, the date of the organizational meeting of the Commission, to June 30, 1962, in compliance with the provisions of the law creating the Commission.

We would also here pledge to you, and to the body politic, our continuing resolve to work to eliminate all discrimination based on race, creed or religious belief.

Respectfully submitted,

The Commissioners

Mr. James J. Haranzo, whose term expired June 30, 1962, and Mr. Harry H. Jones, who resigned from the Commission in October 1962 due to poor health, did not actively participate in the preparation of this report.

"...to eliminate all discrimination...by
virtue of race, creed or religious belief."

The First Annual Report
of the
Human Rights Commission
of
West Virginia

1961-1962

SUMMARY

The basic reason for opposition to racial and ethnic discrimination is simply that no person can choose his parents. To use criteria completely beyond the control of the individual is capricious and invidious. A person can, of course, change his religion. However, the experience of centuries has taught us that religious pluralism provides a more viable basis for a stable society. In an age when religion is no longer a useful or usable arm of the state, religious intolerance is an anachronism.

West Virginia recognized the necessity of ending these arbitrary practices by creating a Human Rights Commission in 1961. Further recognition of the moral imperative was made in January 1962 when Governor Barron issued an executive order banning discrimination on the base of race or religion in state employment.

During this initial year, the Human Rights Commission has attempted to discharge its responsibilities through a number of programs. The Commission has stressed broad programs which would reach large numbers of people in the state rather than the necessarily slow case by case approach. In the field of public accommodations, the Commission has made a preliminary survey of practices in certain motels in the state. It has also held meetings with representatives from the field of public accommodations to secure their cooperation in ending discriminatory practices.

The Commission has distributed a brochure to employers of the state outlining procedures that might be followed to end discriminatory practices in employment. The Commission has also called upon county superintendents and boards of education to hire persons without regard to race or creed. Further, the Commission has held meetings with a corporation in the Kanawha Valley to implement a program of non-discrimination. We hope that that program might serve as a model for all employers in the state.

To facilitate the program of ending discrimination, the Commission has called upon various cities in the state to create local human rights commissions. Since that time, five local commissions have been established, adding to the three previously created. To obtain more information about the nature and extent of discriminatory practices in the state, the Commission has asked the departments of sociology in the state universities and colleges to conduct studies and surveys on the problem. The Commission also held the first of a planned series of public hearings in Charleston. This hearing served to bring further information to the attention of the Commission and to gain public statements of the positions of various organizations.

So that no person could infer that public institutions in this state use discriminatory practices, the Commission asked the public universities and colleges to eliminate questions on race or religion from their application forms. Everyone of these institutions assured the Commission that these questions would be deleted.

The task of ending discriminatory practices is not simple. The Commission must acknowledge its debt and appreciation to the many individuals and groups in the state who have contributed to this cause. This year has been only a beginning--but we trust it is a beginning of the end.

THE ANNUAL REPORT OF THE HUMAN RIGHTS COMMISSION

Introduction

The 1961 legislature created the West Virginia Human Rights Commission to "encourage and endeavor to bring about mutual understanding and respect among all racial, religious and ethnic groups within the state, and to eliminate all discrimination in employment and places of public accommodations by virtue of race, creed or religious belief." Thus, West Virginia became one of twenty-six states which have created Commissions to work for the betterment of race relations, or have passed enforceable fair employment laws. This positive and affirmative action on the part of state legislators to seek constructive solutions to the problems of racial differences is in many aspects the great untold story of America's race relations. The stories of our racial failures, of mob violence, of Little Rock and Oxford, of the Ku Klux Klan, the White Citizens' Councils, and the segregationists, and of the defiance of the Supreme Court are known. But positive and affirmative action is too little known at home and almost unknown abroad.

This action of the several states has been supplemented by the stepped-up federal activities by the Federal Civil Rights Commission and the expansion and enlargement of the President's Committee on Equal Employment Opportunity. Two quite divergent currents are operating in American society today, one which seeks to place policy and force of government on the side of the ending of discrimination and the providing of equality of opportunity to all citizens regardless of race, religion or national origin. The contrary force has endeavored to pervert and to bend the full forces of governmental position to maintaining the patterns of segregation and the denial of the equality of opportunity.

West Virginia has decided to place itself within the current of the former movement. The members of the Human Rights Commission assumed their responsibilities with a keen sense of the many West Virginians who support and encourage them in this purpose.

It is significant, we think, not that there is discrimination-- which there is--but that so many communities have taken positive action to combat it. While many hotels and restaurants refuse to serve Negroes, there is a significant number who give service to all. While some theaters refuse to admit or segregate Negroes, many others have long since discontinued such practices.

Most significant progress has been made in the effort to end segregation in public schools. That this has proceeded with almost no instances of violence and with a minimum of community tension is a significant tribute to the people of West Virginia. Our state supported universities and colleges are open to all. As far as we can determine, all but one actually had some Negro enrollment last year, and that one was located in a section of the state with very little Negro population. The two former Negro colleges currently have 70 per cent and 41 per cent white enrollment. Little faculty integration exists in other than these two schools of higher education.

All county school systems have ended compulsory segregation and some integration exists in all counties that have Negroes. While a number of counties continue to operate all Negro schools and have made no attempt to integrate faculty, others have made significant progress in both teacher and pupil integration.

Patterns of racial segregation in West Virginia never included some of the grosser aspects of other sections of the country. Virtually no Jim Crow legislation existed and only in the field of public education did segregation rest upon law. However, West Virginia shows, with many other sections of the country, the tendency to restrict Negroes to lower levels of jobs, to place them in separate units, and exclude them from white collar employment. In one major city, almost all of the Negroes employed by the city are limited to a refuse collection department which is headed and supervised by a Negro.

Mining is perhaps the only section of major employment in which Negroes found employment without discrimination. Despite the sharp reduction in employment in mining, it still accounts for almost one out of five jobs held by Negroes. While 10 per cent of the white labor force is employed in mining, 17.8 per cent of the Negro labor force is so employed. At one time, nearly 50 per cent of the Negroes employed were employed in mining. Technological unemployment has fallen heavily upon the Negro community. The Negro population in West Virginia has reduced by 22 per cent in the last ten years, but the Negro labor force has been reduced by nearly 50 per cent.

Public Accommodations

One of the areas specifically cited by the legislature creating the Human Rights Commission is that of seeking to end discrimination in the area of public accommodations. The Human Rights Commission has felt a particularly urgency to make progress in this area because of the Centennial next year and the number of visitors to the state

anticipated in the observance of this occasion. Centennial publicity has been aimed at major urban centers which contain a significant number of Negro citizens. The possibility of some discriminatory act receiving adverse national publicity poses a serious threat to efforts to attract visitors to our state.

It is difficult to characterize in a few words the nature of the pattern of discrimination in public places in West Virginia. A significant number of places do welcome all guests without regard to race. While we have some general impressions as to where these are (particularly communities where a universal pattern of acceptance has been adopted), it would be virtually impossible to compile a comprehensive list. We do not have that detailed information about each community, and continual change would soon date it.

Many places do continue to refuse service, and some follow different policies at different times, thus adding to the confusion. We know of one situation where Negroes might pass through cafeteria lines if they are eating in a back room with a committee but could not individually sit down in the restaurant. Indeed, the acceptance of Negroes as part of a group, but not as individual guests, is a fairly widespread pattern in the restaurant field. While we would not minimize this as a gain in itself, it does serve to add confusion to patterns when community leaders frequently tell us that restaurants are open because they have eaten in such groups with Negroes present.

Two communities in which fairly recent and significant widespread action has occurred are Charleston and Clarksburg. Restaurants and hotels in Charleston are today open to all persons without regard to race, representing a significant achievement in a relatively short period of time. While many citizens played an important role in this process of change, the Charleston Commission on Human Rights played a most important role in its relationship with managers in achieving such a policy. Similarly, in Clarksburg the local Human Rights Commission carried the major responsibility in negotiating with hotels and restaurants. Today that community is also virtually open to all persons. Fairmont, Morgantown, Weirton, Wheeling, Huntington and Beckley are also communities in which significant changes have taken place.

On April 17th the Commission invited a number of persons representing areas of public accommodations to meet with them to discuss the problems and possible approaches. Those present were representatives of the Centennial Commission, Department of Commerce, Department of Natural Resources, Restaurant Association and members of the Commission. Invitations had also been extended to the Hotel Association, Motel Association and the Chamber of Commerce and certain private

agencies concerned with the promotion of tourist business. Officers of the Restaurant Association were concerned and indicated their intention to make it an item of discussion at the various regional association meetings. The Department of Natural Resources said that there had not been any particular problems raised in connection with the policy of equal treatment for all in the state parks, cabins, lodges, dining rooms and other facilities. The Department of Commerce indicated that they have had some inquiries in relationship to this problem but that it had not been a major issue.

A subsequent survey by the Commission of motels on the list circulated by the Department of Commerce in response to inquiries, indicated a widespread reluctance to state, for the record, their particular position. Only one-fourth of the motels responded, and only a third of those who did reply indicated an open policy. Though we plan to make a more complete study of the situation, this preliminary survey tends to confirm indications of an erratic pattern of practices, making difficult identification of the policy of a particular place.

City-owned recreation facilities, particularly swimming pools, are an area where some controversy and fear are expressed. In one community in which little change has occurred in the area of hotels and restaurants, the theaters and the swimming pool are open to all. Another community which closed its pool for several years has now successfully operated it on an integrated basis for several years. In some instances, Negroes are excluded from pools and other recreational facilities owned and operated by the city. In our minds, the law is clear that such is an unlawful practice.

The variety of this pattern only adds to the lack of logic in discriminatory practices. What is accepted as perfectly normal in one community, is forbidden in another. One community insists on a practice of discrimination in one area but accepts participation in another area--which some other community strongly resists.

Employment

The problem of employment is crucial to all areas of equality of opportunity. Many of the other problems the Negro faces would be much easier to overcome, given equal opportunity to employment and its economic benefits. Only in mining do Negroes appear to approach equality of opportunity. About 18 per cent of all Negroes employed are employed in mining, as against 10 per cent of all white men. The Negro accounts for 6.6 per cent of all employment in mining, slightly higher than his numerical representation in the state.

Manufacturing, which employs 24 per cent of all white men employed, employs only 6.4 per cent of Negroes, approximately one per cent of the total employment. Chemicals, which employ one out of five of all persons in manufacturing, employ less than 250 Negro individuals. While only 4.5 per cent of all white men are employed in private homes or personal service, 24.9 per cent of all Negroes are so employed, accounting for 19 per cent of all such employment. There is a higher percentage of Negroes employed in hospitals than white, 6.5 per cent as against 2.7 per cent, again reflecting maintenance or menial types of employment. Ten per cent of all white men are employed in retail trade, but only 5.5 per cent of the Negroes.

Much of the same kind of pattern is reflected in the employment of Negro women. Almost 15 per cent of all white women are employed in manufacturing, but only 1.5 per cent of the Negro women. Only 4 per cent of Negro women are employed in retail trades, but 13.9 per cent of all white women. As one might expect, 11.6 per cent of the white women are employed in personal services and 53.1 per cent of all Negro women.

It is obvious that the employment patterns of long years of discriminatory treatment require more positive action on the part of management than mere silent assent to the concept of equal opportunity. Whatever science normally applies to the selection of personnel too often goes out the window at the mention of race.

In order to suggest some of the positive steps necessary to achieve an equality of opportunity in the field of employment, the Human Rights Commission prepared a small brochure as an employer's guide to equal opportunity. This was mailed to approximately 4,000 employers in the state. Hardly more than a dozen employers acknowledged receipt of this communication and far more positive cooperative efforts and action are necessary for voluntary procedures to have much meaning.

* * * * *

One company, desirous of making a policy of equal opportunity work, arranged to meet with the Commission Executive. The company was in the process of opening a new division. No Negroes were employed in its present plant. Several procedures were discussed. While the old division had only a limited number of job openings, the new division was recruiting on a wide basis of needs.

A definite statement of policy was issued to personnel and management people. Sources of recruitment were notified in writing

of the company's policy. A local college was notified of the company's needs and its cooperation sought in locating qualified Negro applicants. Suggestions for careful review of applicants and procedures were given.

The former division of the company placed Negroes in 3 of the 20 positions filled. The new division placed 15 Negroes out of about 500 employees. The job ranges were skilled office work, skilled craftsmen, and assembly line workers, with only a few as maintenance personnel.

The Commission then arranged for a meeting between the company officials and various Negro leaders to discuss the procedures taken by the company and to interpret the company's employment needs. This meeting proved to be a satisfactory occasion.

* * * * *

One of the formal complaints of discrimination received by the Commission yielded a less satisfactory solution. The employer was unwilling to give definite assurance of non-discrimination.

The complainant responded to a newspaper ad of the company for a stockroom and order-filling clerk. The company is a wholesale drug firm. When the applicant arrived at the office of the company, the receptionist seemed somewhat confused and asked her to wait until she conferred with various people. A white person, who entered later and whom the complainant heard inquiring about the same position, was immediately taken to the personnel officer. The Negro complainant was later told the job was filled without ever being able to see the personnel officer or fill out an application.

The manager's explanation is that they had asked for referrals from the Employment Security Office and had been sent two applicants. Finding neither of them totally satisfactory, they had published the ad in the newspaper seeking additional candidates. On the day on which the complainant visited the office and the ad appeared, the person currently in the position announced that she was leaving earlier than they had anticipated. The manager stated that he had ordered the employment of one of the two previous candidates and that the person be called in, rather than wait for responses to the ad.

Assuming his answer to be a straightforward one, we then asked if he would indicate if Negro applicants would be welcomed in the future and receive consideration on their merit. His answer was weak and unconvincing, so we asked if he would write us a letter stating that it was his policy not to discriminate against any person because of race and that he would welcome applications from any qualified persons for positions that might be available from time to time. This he

was not prepared to do. We repeated our request in a letter two weeks later, to which he has not replied.

None of the approximately 45 people employed by the company is Negro. However, the manager reported that they had formerly had a Negro janitor.

* * * * *

The overriding problem in the field of employment is the continuing high rates of unemployment in West Virginia. As long as unemployment remains high, it is difficult for any person, regardless of his race or creed, to find a job. No Human Rights Commission, regardless of what powers it may have, can make as effective a contribution to the employment of Negroes as a reduction in the rate of unemployment.

Integration in Public Schools

Prior to 1954, the public school systems of West Virginia were segregated. The only exception was graduate and professional education at the state university which had been desegregated under the pressure of earlier decisions of the United States Supreme Court. However, after the famous Supreme Court decision of 1954, there was fairly rapid token integration throughout the state. The Commission has devoted relatively little time to the issue of integration in the public schools, largely because we began our work with the feeling that significant progress had been made with little evidence of community disruption. The 1961 Report of the State Advisory Committee to the U. S. Commission on Civil Rights does devote a good deal of space to the question. This report is still available.

The issue of school integration is frequently raised, however, by persons in the various communities. So far as we know there is no county in which token integration does not exist. There are a number in which a great majority of Negro students still attend segregated schools. In several of these, there has been no significant change over a period of several years. The integration of teachers is an area in which there is widespread dissatisfaction. Frequently, the belief is expressed that no Negro teachers have been hired since integration. This expression is apt to be made even in those counties which may have the fullest pupil integration; hence, the issue is very widespread. While the 1960 census shows 5.4 per cent of all white men employed in West Virginia are employed in education, 6.9 per cent of the Negro men are employed in education. There is general fear that integration will result in the loss of jobs for Negroes.

was not prepared to do. We repeated our request in a letter two weeks later, to which he has not replied.

None of the approximately 45 people employed by the company is Negro. However, the manager reported that they had formerly had a Negro janitor.

* * * * *

The overriding problem in the field of employment is the continuing high rates of unemployment in West Virginia. As long as unemployment remains high, it is difficult for any person, regardless of his race or creed, to find a job. No Human Rights Commission, regardless of what powers it may have, can make as effective a contribution to the employment of Negroes as a reduction in the rate of unemployment.

Integration in Public Schools

Prior to 1954, the public school systems of West Virginia were segregated. The only exception was graduate and professional education at the state university which had been desegregated under the pressure of earlier decisions of the United States Supreme Court. However, after the famous Supreme Court decision of 1954, there was fairly rapid token integration throughout the state. The Commission has devoted relatively little time to the issue of integration in the public schools, largely because we began our work with the feeling that significant progress had been made with little evidence of community disruption. The 1961 Report of the State Advisory Committee to the U. S. Commission on Civil Rights does devote a good deal of space to the question. This report is still available.

The issue of school integration is frequently raised, however, by persons in the various communities. So far as we know there is no county in which token integration does not exist. There are a number in which a great majority of Negro students still attend segregated schools. In several of these, there has been no significant change over a period of several years. The integration of teachers is an area in which there is widespread dissatisfaction. Frequently, the belief is expressed that no Negro teachers have been hired since integration. This expression is apt to be made even in those counties which may have the fullest pupil integration; hence, the issue is very widespread. While the 1960 census shows 5.4 per cent of all white men employed in West Virginia are employed in education, 6.9 per cent of the Negro men are employed in education. There is general fear that integration will result in the loss of jobs for Negroes.

A very real problem in the field of public education is the necessity of developing proper guidance programs. Minority youth must be made aware of the greater opportunities that do now exist and that are developing. These opportunities emphasize the necessity of taking advantage of every available educational and training opportunity. Unfortunately, it too frequently appears that public schools do not make the necessary effort to provide vocational guidance. It is distressing to note that we have more band directors than vocational guidance teachers in the schools. Further, the information provided by the vocational guidance counselor is often dated.

Local Human Rights Commissions

After becoming better acquainted with the problems of the state, the West Virginia Human Rights Commission decided to encourage mayors and city councils to establish local human rights commissions. At that time, three such commissions had been appointed: Charleston, Clarksburg and Parkersburg. As a consequence, letters were sent to mayors of all cities of more than 10,000 people and to all incorporated cities of 2,500 and more, in which the concentration of the Negro population was two per cent. A total of 28 letters was mailed. At the present time, five commissions have been appointed, and two others are under active consideration. Fairmont, Huntington, Montgomery, Princeton and Wheeling have established commissions. The Commission has been very much gratified with the response from the various cities in the establishment of such commissions and anticipates that several more will be established in the months ahead.

It is, however, clear that the development of local city commissions is not particularly adaptable to several counties which are predominately rural in character and in which the Negro population is also predominately rural. The Commission is currently exploring approaches to see if it may be possible to establish county-wide commissions in a number of such counties in order to provide an appropriate local group.

The actual formation of these commissions took place in September, 1962, after the period included in this report, but their early activities were promises to extend the positive and constructive effort. They demonstrated that where responsible community leadership faces the problems of discrimination, significant change can be achieved without producing community tension, dissention, or other community ills. They demonstrate in a significant way, the willingness of a responsible community leadership to be identified with the search for new patterns more nearly expressing a democratic ideal.

We believe that the creation of these commissions will prove to be an important development in West Virginia's efforts to improve race relations.

Public Hearing in Charleston

Early in its program, the Commission held a public hearing in Charleston to attempt to gain some assessment of the status of human relations in the Charleston area. Several labor groups, the Chamber of Commerce, the Manufacturing Association, the Kanawha County schools, and a representative from West Virginia State College presented testimony, as well as several of the state agencies. The data presented by West Virginia State College was most disturbing in terms of what it represents for Negro employment. Dr. Floyd Anderson, placement officer at the college, reported that of 580 graduates in the classes of 1957 through 1960, only 214 had found employment within the state. This represents a significant loss of trained manpower and potential leadership, as well as a loss of income and ability. We have no figures on what would be the overall loss of college graduates in the state. The loss has been estimated as high as fifty per cent.

Voters Registration

It is difficult to determine from current figures available the exact percentage of West Virginians registered to vote. The figures supplied by the Secretary of State to the Civil Rights Advisory Committee for its 1961 report shows a great deal of over-registration in comparison to the 1960 census figures. In 30 of the 55 counties, the number registered to vote is greater than the population. This is apparently accounted for by the out-migration which reflects itself more slowly on the voters' list. However, in the use of these figures, the lowest percentage of whites registered in any one county was 79.1 per cent. In 4 counties of the 15 in which the Negro population is the most numerous, Negro voter registration is below or just above this figure: Cabell County, 69.3 per cent; Jefferson County, 70.3 per cent; Greenbrier County, 80 per cent; and Hancock County, 83 per cent. These low figures undoubtedly represent apathy rather than any particular problems created regarding registration. At least no information has come to us that would indicate a problem of voter registration.

Needs for the Future

West Virginia has, for the moment, chosen the path of voluntary cooperation to deal with the moral cancer of racial and religious discrimination. Some other states are handling this problem through

the creation of agencies empowered to penalize persons continuing to follow discriminatory practices in employment or the use of public accommodations. Fair employment practice laws are one example of the second approach.

This Commission views as its duty the vigorous pursuit of every means available to enlist the cooperation of the citizens in the endeavor to wipe out this evil. The test then is: will voluntary means succeed? If they do not, other methods will and must be tried. The contagion of discrimination means the diminution of democracy. This no free man can endure.

Although we are empowered by law to hold formal hearings on complaints of discrimination, we believe the progress which might come from this approach would be painfully slow. We have instead, in our initial year, placed our emphasis on programs that would reach large numbers of persons. We would like to express our appreciation to the press and the other media of public communication for their excellent cooperation in publicizing the programs in which the Commission has been engaged. Their efforts materially ease the problem of reaching the general public.

It is imperative that leaders throughout the state take an affirmative, and public, stand on this issue. Doing so will vastly ease the problems of transition.

The Commission also needs a more adequate staff to implement its programs in every area of the state. One full-time employee, the executive director, cannot alone adequately serve all the groups and individuals in the state with whom the Commission must maintain constant contact.

This initial year--or really half year--has made it possible for the Commission to gain valuable information about the nature and extent of the problem of discrimination in the state. We have launched a number of programs to attempt to deal with the problem. We are currently reassessing these programs in the areas of public accommodations and employment. We would certainly hope that our efforts in these areas in the coming year will be more fruitful.

We are not unmindful of the obstacles we face--they but whet our appetite. We realize that reverses will undoubtedly come in the future--they will heighten our resolve. We are confident that the people of West Virginia can and will work together to end this malefaction to humanity.

APPENDICES

Chronology of Events

- March 6, 1961 The passage of House Bill No. 115 creating the Human Rights Commission.
- July 1, 1961 The effective date of legislation.
- September 28, 1961 The Commission called together for its first meeting by Governor Barron and officers were elected.
- January 2, 1962 The Commission appointed Howard W. McKinney as Executive Director.
- January 16, 1962 Governor Barron issued an Executive Order banning discrimination because of race or religion in all state employment.
- February 1, 1962 The Executive Director assumed official duties.
- February 15, 1962 The Commission established office in State Capitol Building.
- February 20, 1962 The Commission held Public Hearing on Human Relations in Charleston.
- March 20, 1962 The Commission adopted Rules and Procedures for filing and handling complaints of discrimination.
- April 17, 1962 The Commission held meeting with representatives from the field of public accommodations.
- May 1, 1962 The Commission sent letter to department of sociology of all state colleges regarding any studies or surveys which might have been undertaken relating to human rights.
- May 15, 1962 The Commission sent letter to mayors encouraging the formation of local human relations commissions.
- June 5, 1962 The Commission held a meeting with representatives of the Negro community and major valley industries to discuss procedures and programs for integration.

Chronology of Events (continued)

- June 11, 1962 The Commission sent letter to the county superintendents of the various boards of education, calling for employment of all persons without regard to race.
- June 25, 1962 The Commission mailed Brochure and accompanying letter to 4,000 employers in the state.
- June 29, 1962 The Commission made a survey of motels regarding policy of admission of all persons as guests.

Summary of Activities of the Commission

The Commission held its first organization meeting on September 28, 1961, at the invitation of Governor Barron. Nine additional meetings were held subsequent to the initial Commission meeting. The Commission employed an executive director on January 2, 1961, and opened an office in the State Capitol Building on February 15, 1962. Three special meetings arranged by the Commission were called: one, a Public Hearing on February 20, 1962, a second meeting with representatives of areas of public accommodations on April 17, 1962, and the third, a meeting with officers of a particular company and leaders of the Negro community in Charleston on June 5, 1962.

Six special mailings were sent out to six different groups affecting matters of inter-group relations. Two brochures were prepared under the direction of the Commission and contracts were let for the adaptation of two television spot announcements.

Eight allegations of discrimination were received; two did not involve allegations of race, religion or national origin and thus were not in the jurisdiction of this Commission; three were referred to the President's Committee on Government Contracts; one involving a state agency was ruled that factors other than race affected the action and one probable cause was found and no satisfactory agreement reached. Another involved the refusal of a real estate representative to show a house to a Negro customer and although probable cause existed, no satisfactory agreement was reached.

The executive director, between February 1 and June 30, has made approximately 100 calls upon community leaders in ten different communities. He has filled ten formal speaking engagements, met with eleven committees or other organized bodies concerned with problems of discrimination, conferred with twelve department or major division heads of state government, had eight conferences with employers, and dealt with one incident of community tension and picketing over patterns of discrimination.

Miss Ann Koontz, who had been appointed to the Commission, resigned before the initial meeting because she had moved to another state. Mr. James M. Elliott an original appointee to the Commission, resigned in October because he had been transferred to another state by his company. Mr. Leslie A. Martin was appointed to replace Mr. Elliott in December. At the organizational meeting, Mr. Gavett was elected chairman and Mr. Haranzo vice chairman for the initial year.

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
CHARLESTON

EXECUTIVE ORDER
By the Governor

WHEREAS, Discrimination because of race, creed, color, or national origin is contrary to the Constitutional principles and policies of the United States and the State of West Virginia; and

WHEREAS, It is the plain and positive obligation of the government of West Virginia to promote and ensure the equal opportunity for all qualified persons, without regard to race, creed, color, or national origin, employed or seeking employment with the State of West Virginia; and

WHEREAS, The 1961 Legislature of the State of West Virginia created the Human Rights Commission to encourage and endeavor to bring about mutual understanding and respect among all racial, religious and ethnic groups within the State; and

WHEREAS, The Legislature, by this clear mandate, had requested elimination of all discrimination in employment; and

WHEREAS, It is the policy of the executive branch of the government to encourage by positive measures equal opportunity for all qualified persons within the government:

NOW, THEREFORE, I, WILLIAM WALLACE BARRON, Governor of the State of West Virginia, by virtue of the authority vested in me by the Constitution and statutes of West Virginia, do hereby issue the following order:

(1) Department heads of all agencies of state government and other persons responsible for the hiring of state employees shall establish the practice of hiring strictly on a basis of competence for the jobs being sought, regardless of the race, creed, color, or national origin of the applicant.

(2) Department heads of all agencies of state government and other persons responsible for the hiring of state employees shall cooperate fully with the recently established Human Rights Commission in effectively carrying out its functions and services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused
the Great Seal of the State of West Virginia to be affixed.

(GREAT SEAL OF THE STATE
OF WEST VIRGINIA)

DONE at the Capitol, in the
City of Charleston, State
of West Virginia, this the
sixteenth day of January,
in the year of our Lord, One
Thousand Nine Hundred Sixty-
two, and in the ninety-ninth
year of the State.

/signed/ W. W. Barron
GOVERNOR

BY THE GOVERNOR:

/signed/ Joe F. Burdett
SECRETARY OF STATE



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION
 451 STATE CAPITOL BUILDING
 TELEPHONE DI 3-4411 • EXTENSION 2616

May 15, 1962

MR. HOWARD W. MCKINNEY
 EXECUTIVE DIRECTOR

COMMISSIONERS

DR. THOMAS W. GAVETT,
 CHAIRMAN
 MORGANTOWN

MR. JAMES J. HARANZO,
 VICE CHAIRMAN
 WHEELING

RABBI SAMUEL COOPER
 CHARLESTON

MR. HARRY H. JONES
 WHEELING

MR. J. C. KINGSLOW
 BLUEFIELD

MR. LESLIE A. MARTIN
 CHARLESTON

MR. H. R. RICHARDS
 PARKERSBURG

MR. ROBERT WELCH
 HUNTINGTON

MRS. CHARLES W. WILSON, III
 CHARLESTON

Letter Sent to Mayors in West Virginia

The West Virginia Human Rights Commission was established by Legislative Act to encourage and endeavor to bring about mutual understanding and respect among all racial, religious and ethnic groups within the state and to strive to eliminate all discrimination in employment and places of public accommodations by virtue of race, creed or religious belief. It is our belief that this purpose might most effectively be achieved through the establishment of responsible bi-racial committees or commissions in every community. Since the several communities have a different set of practices, differing experiences and differing problems, a responsible group of local citizens can, undoubtedly, make the most meaningful approach of these problems.

Significant advancement, particularly in the area of public accommodations, has been made in a number of West Virginia communities in recent years. However, the urgency of the time calls for positive and affirmative action in local community leadership. A number of factors and forces are operating within our society to underscore this urgency for action. Among these factors are:

1. The Changing Economy.

A significant number of Negro workers has become unemployed with the changing technological development. The unhappy cycle of discrimination and low educational achievement results in a difficult problem of re-employment and the disproportionate migration of Negroes from the state. Nearly $\frac{1}{4}$ (22%) of all Negro population left the state between 1950 and 1960. Reports of Negro college graduates indicate considerable higher proportion of Negro graduates than white leave the state.

7. Positive Action Has Brought Positive Results.

Three West Virginia communities, Charleston, Clarksburg and Parkersburg, already have established Human Rights Commissions to work for the achievement of progress in race relations. (Clarksburg by city ordinance, the others by action of the Mayor.) While the Parkersburg Commission is just beginning to function, the others have demonstrated in a positive way that significant change can take place to the gratification of the local community. Important progress has been made in opening eating and hotel facilities to all persons. The positive and affirmative action of these examples needs to be extended into other areas and to other communities.

8. Religion And Law Underscore The "Rightness" Of The Goal Of Equal Treatment And Opportunity. The Question Remains Of How and When.

A wide number of religious bodies and their leaders have re-asserted in public statements the Judeo-Christian understanding of the equality of all men before God and called for the ending of segregation and discrimination. The law as previously noted also established this principle. The question, then, is how and in what manner can a community most effectively achieve the patterns of change and what steps should responsible community leaders take in order to encourage such goals?

It is in the light of these factors that we urge the Mayors of all West Virginia communities to appoint Human Rights Commissions to work for the ending of discrimination and the furthering of the equality of opportunity.

We believe that such a committee can:

1. Provide a channel of responsible communication between the races and an understanding of hopes and aspirations. Too frequently, we feel that no problem exists until Negro members of the community have been forced, in desperation, to take some action such as sit-ins, picketing or buying strikes.
2. Fulfill the role of data collecting and factual research to replace rumor with fact and suspicion with information.
3. Encourage progress and advancement in new patterns of community response which more nearly fulfill our concept of equality.
4. Interpret broad forces of economic and social change and promote their acceptance as part of our community growth and development rather than the forces of pressure, hate, indifference or special policies of special interest groups.

5. The knowledge and experience of such a committee make it easier to recognize problems and deal with them constructively and provide for the sharing of responsibility in an area where responsibility must be shared.

We believe such committees, to be most effective, must represent a variety of points of view and sections of the community. It must be composed, however, of persons who believe that change is both desirable and possible within the framework of a democratic community.

We ask your thoughtful consideration of the formulation of such a committee. It is our sincere desire to be of help to you in your community. If we can be of assistance to you in the formulation of such a committee, to meet with you or any large body of citizens to discuss and interpret such a program, we shall be happy to do so.

If, at any time, we can be of assistance in meeting any community problem in this area, please call upon us.

Sincerely,

Howard W. McKinney
Executive Director

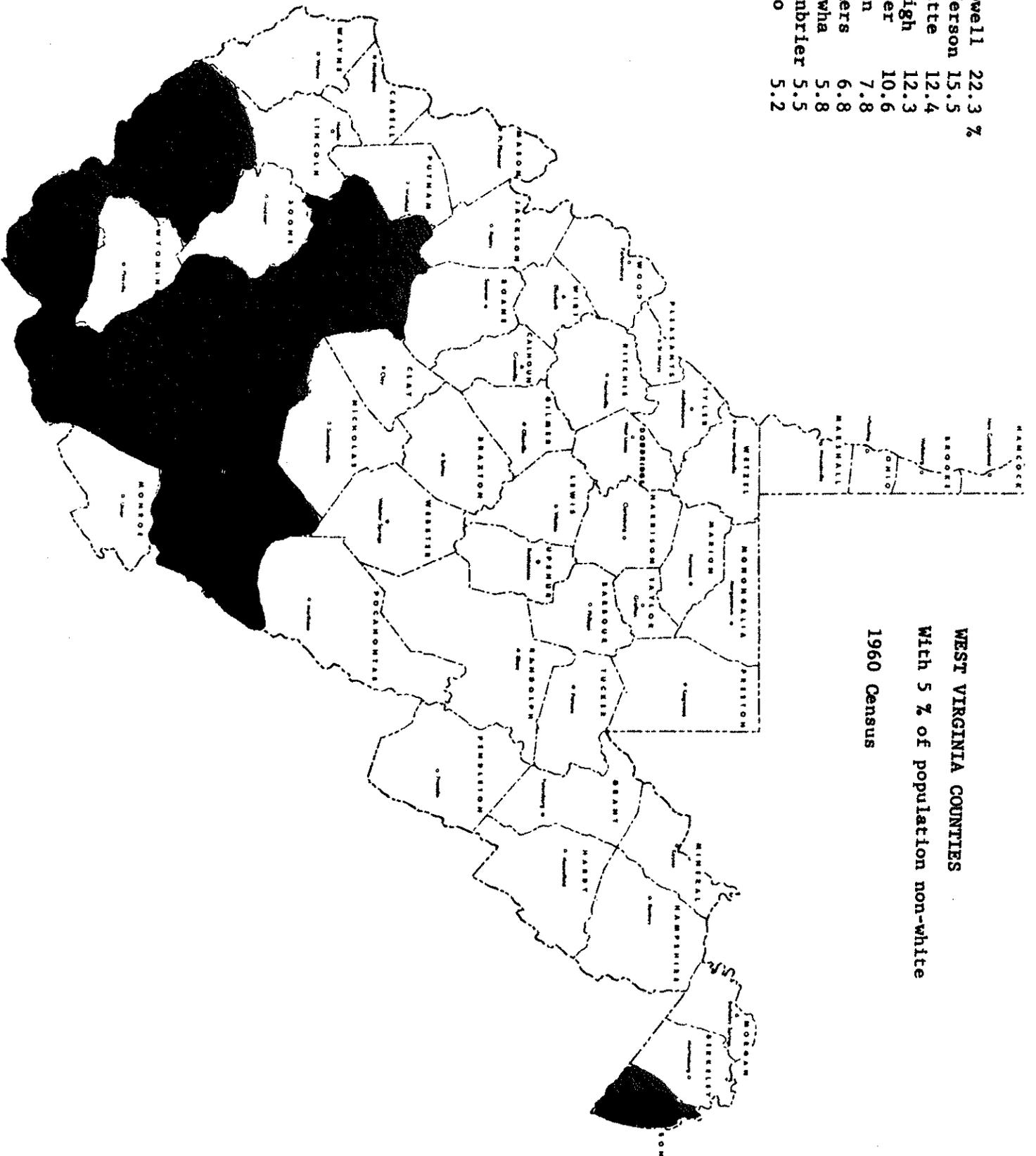
HWM:lvk

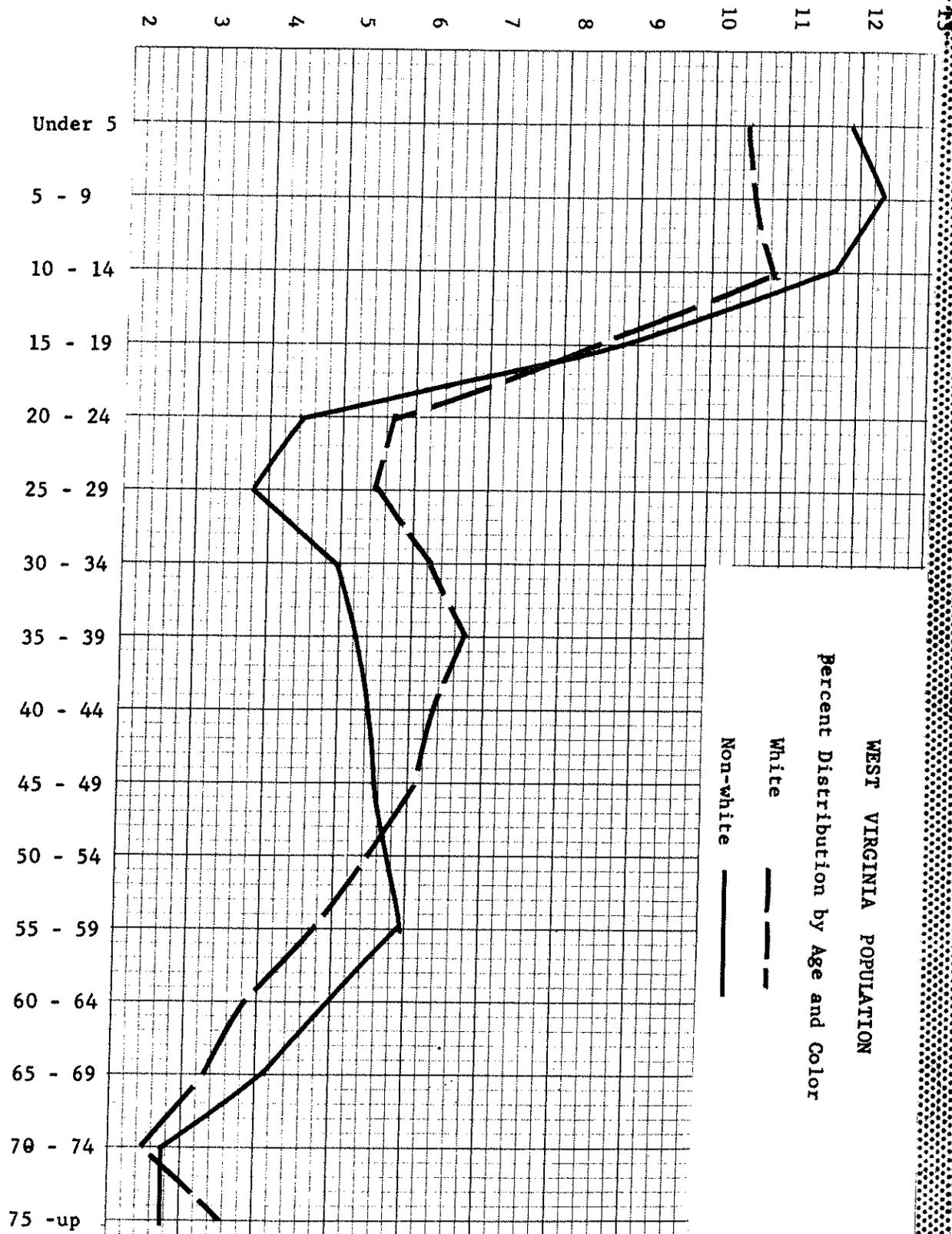
Negro Population and Distribution in West Virginia

Approximately 5% of the total population of West Virginia is Negro. However, this number is very unevenly distributed over the state. Only 21 of the 55 counties have a Negro population of 500 or more. The 1960 census lists only one nonwhite in Doddridge, Gilmer, Ritchie and in Webster counties; six other counties have less than ten nonwhite persons. Six more counties have fewer than 25; three with more than 25 but fewer than 100; and 16 with more than 100 but less than 500. Three counties have nonwhite populations between 500 and 1,000; seven counties have nonwhite populations between 1,000 and 2,000 and four counties between 2,000 and 3,000. Two counties have between 4,000 and 5,000 and three counties have from 5,000 to 10,000. Only two counties McDowell and Kanawha, have more than 10,000 nonwhite residents.

Considerable variations exist between percentage of Negroes and the county population and the total number involved. McDowell County ranks both first in number and per cent of population, 22.3%; Jefferson County, which ranks second in per cent of population, 15.5%, ranks eighth in numerical number. Summers County which ranks seventh in per cent, 6.8%, ranks 18th in numbers; Cabell County which falls below 5%, ranks sixth in numbers; 23 counties have less than 1% of their population nonwhite; seven between 2% and 3%; three counties between 3% and 4%; two counties have 4% to 5% and ten counties have 5% or more. Five of these counties have 10% or more of their population nonwhite. Nine of these ten counties are in the southern portion of the state; Jefferson County being the exception. Even within this area, the tendency for concentration of Negroes in urban places is shown. More than half of the Negro population of Kanawha, Raleigh and Mercer counties live inside the city limits of Charleston, Beckley and Bluefield.

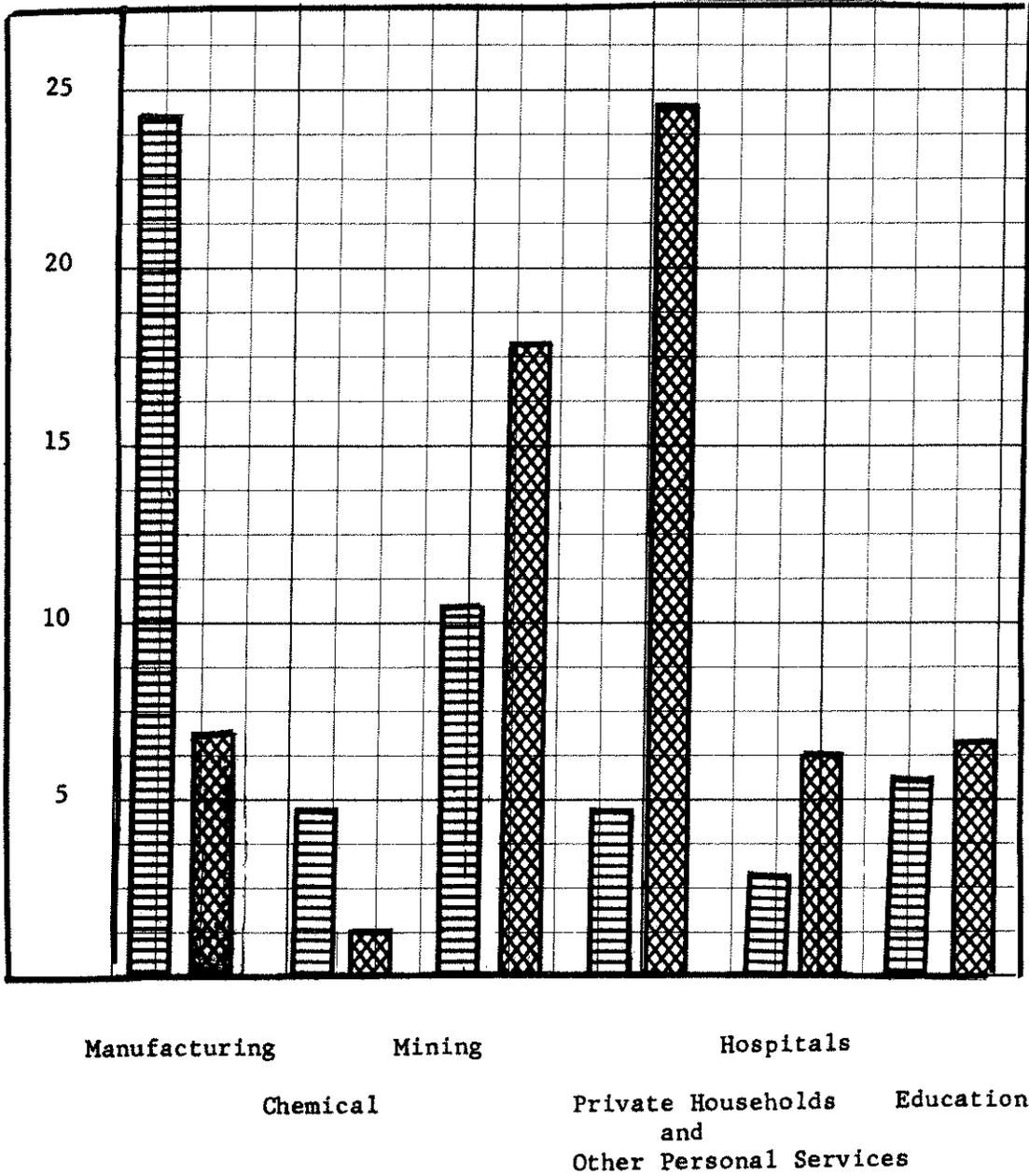
McDowell	22.3 %
Jefferson	15.5
Rayette	12.4
Raleigh	12.3
Mercer	10.6
Logan	7.8
Summers	6.8
Kanawha	5.8
Greenbrier	5.5
Mingo	5.2





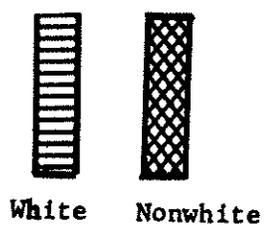
WEST VIRGINIA

Employed Persons by Color



WEST VIRGINIA

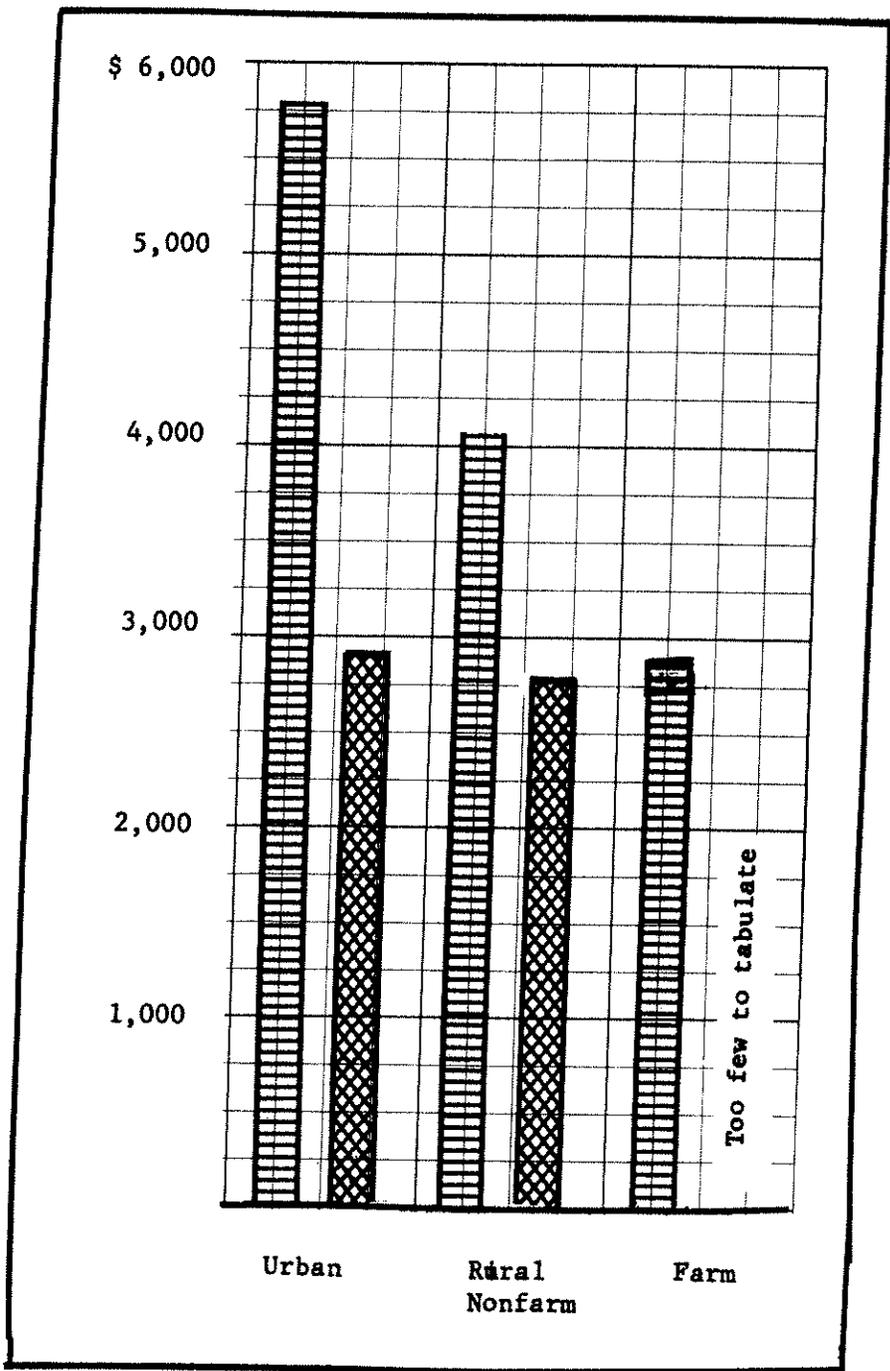
INCOME of FAMILIES
by
COLOR



Median Income

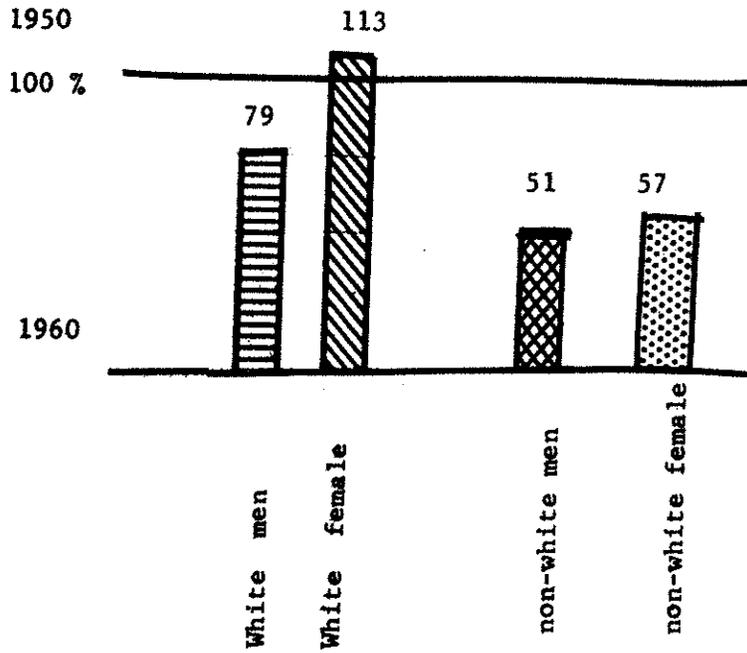
White families \$4,650
Non-white 2,874

1960 Census

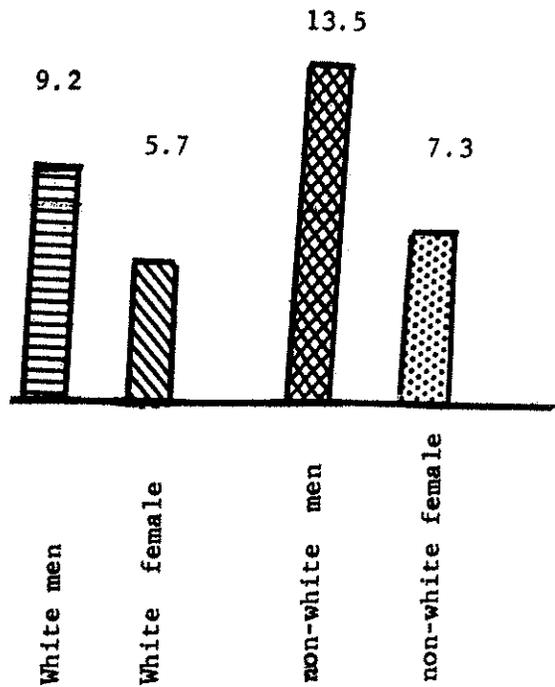


WEST VIRGINIA

Changes in the labor force 1950 to 1960 by race

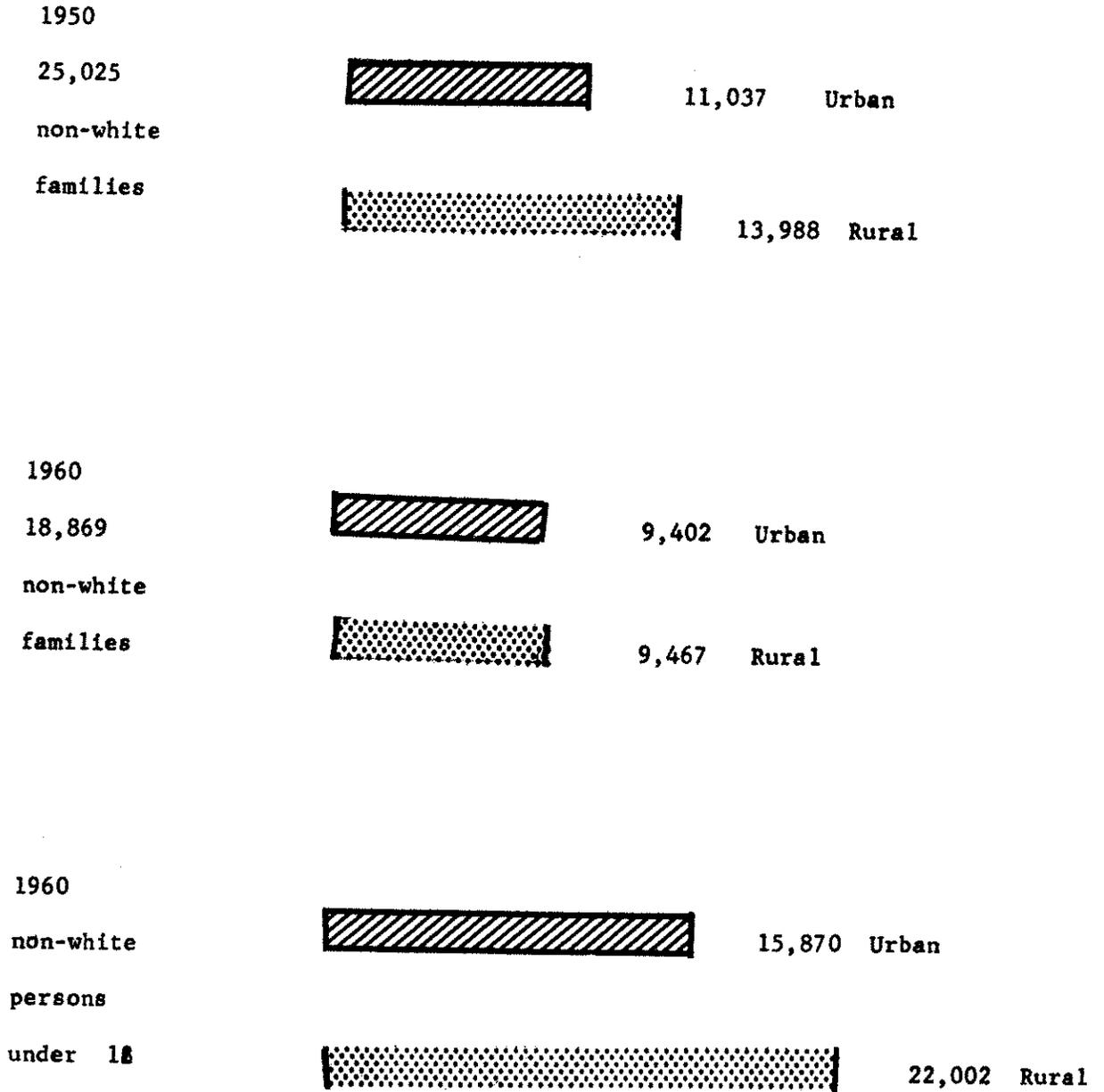


UNEMPLOYMENT 1960



WEST VIRGINIA

Change in residence of non-white population



West Virginia seeks to end

Discrimination

The State of West Virginia is seeking to promote equality opportunity for all persons. The welfare of all her citizens is the right and proper concern.

The West Virginia Human Rights Commission was created in 1961 Legislature.

"The Commission shall encourage and endeavor to bring about mutual understanding and respect among all racial religious and ethnic groups within the state and shall strive to eliminate all discrimination in employment and places of public accommodations by virtue of race, creed or religious belief

In support of this policy, Governor Barron, on January 16, 1961 issued an Executive Order banning discrimination on the basis of race, creed, color or national origin, in state employment.

"It is the plain and positive obligation of the government of West Virginia to promote and insure the equal opportunity for all qualified persons, without regard to race, creed, color or national origin, employed or seeking employment with the State of West Virginia."

MR. HOWARD W. MCKINNEY
EXECUTIVE DIRECTOR

COMMISSIONERS

DR. THOMAS W. GAVETT,
CHAIRMAN
MORGANTOWN

MR. JAMES J. HARANZO,
VICE CHAIRMAN
WHEELING

RABBI SAMUEL COOPER
CHARLESTON

MR. HARRY H. JONES
WHEELING

MR. J. C. KINGSLOW
BLUEFIELD

MR. LESLIE A. MARTIN
CHARLESTON

MR. H. R. RICHARDS
PARKERSBURG

MR. ROBERT WELCH
HUNTINGTON

MRS. CHARLES W. WILSON, III
CHARLESTON



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION
451 STATE CAPITOL BUILDING
CHARLESTON 5, WEST VIRGINIA
TELEPHONE DI 3-4411 • EXTENSION 2616

Employer's Guide to

Equal Opportunity Employment

**a practical guide to
an effective program**

