



PRESIDENTIAL APPOINTEES--These three distinguished Negro citizens have been named to high United Nations and White House positions by President Lyndon B. Johnson. DR. JAMES MADISON NABRIT JR. (left), Howard University president, was appointed representative to United Nations with rank of Ambassador, thus becoming first Negro to hold so prominent U.S. diplomatic post at U.N. CLIFFORD ALEXANDER JR. (center), Deputy Special Assistant to President, has been elevated to LBJ's Associate Special Counsel, succeeding HOBART TAYLOR JR. (right), who moves up to Board of Directors of Export-Import Bank. Dr. Nabrit, former NAACP attorney, set up first civil rights law curriculum at any American school when he became Howard president in 1961. Alexander, only 32, graduated cum laude from Harvard, holds law degree from Yale and served on National Security Council in 1963. Taylor, 45, edited University of Michigan Law School Review and was member of original President's Committee of Equal Employment Opportunity (1961).

(LAW, from page 18)

During the first year after its effective date, Title VII applies to employers with 100 or more employees. The number of employees required for coverage drops to 75 during the second year, to 50 during the third year, and to 25 thereafter. The employer must have the required number of employees for each working day in 20 or more calendar weeks in the current or preceding calendar year. To be covered, an employer also must be engaged in an industry "affecting commerce."

Private membership clubs, the Federal Government and government-owned corporations, Indian tribes, and states and their political subdivisions are exempt. There also are exemptions for the employment of aliens outside any state, the employment by a religious organization of individuals engaged in its religious activities, and the employment by an educational institution of individuals to perform work connected with its educational activities.

Employment Imbalance

Although the law forbids employers to discriminate in employment on the basis of race, color, religion, sex, or national origin, it does not require them to take affirmative steps to rectify an already existing imbalance in the work force. Nothing in the law, it is stated, shall be interpreted to require an employer to grant preferential treatment to any individual or group because of an imbalance that may exist with respect to the total number or percentage of persons of any race, color, religion, sex, or national origin already employed. The same is true with regard to apprenticeship and training programs.

WHAT IT MEANS TO EMPLOYMENT AGENCIES

There are two specific unlawful employment practices for employment agencies. As set out in Section 703(b), they are:

- To fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin.
- To classify or refer any individual for employment on the basis of his race, color, religion, sex or national origin.

The prohibitions against retaliation against those who invoke the law's processes and advertising that indicates a preference or discrimination based on race, color, religion, sex, or national origin apply to employment agencies. The exceptions relating to jobs in which religion, sex, or national origin is an occupational qualification, members of the Communist Party or Communist organizations, and employees denied security clearance also apply to actions taken by employment agencies.

Definition of 'Agency'--An "employment agency" is defined broadly to include "any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer." The term also embraces the United States Employment Service and state and local employment services that receive federal assistance. It does not, however, include other federal agencies or agencies of a state or political subdivision of a state.

Employment agencies, like employers, are not required by the law to take affirmative steps to rectify any existing imbalance in the number or percentage of minority-group persons employed by any employer. They must make and keep the records prescribed by the Commission, subject to the same exceptions noted above for employers.

(To Be Continued)

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