from the CAPITOL

By GOV. GRANT SAWYER

EACH MAN'S RIGHT TO PRIVACY was cherished by the framers of our Constitution, and many Americans have died to protect the freedom that guarantees it. Today this right is threatened from within by a revolution in electronic eavesdropping and an army of snoopers.

We have been shocked to learn of the widespread use of listening devices for surreptitious interception of private conversations in the home, office and elsewhere. And it has been even more disturbing to learn that "bugging" has been used by government agencies to pry into the affairs of private citizens.

Presently the Senate Subcommittee on Administrative Practice and Procedure, headed by Senator Edward V. Long of Missouri, is holding hearings on allegations of wiretapping by federal agents. Nevada will be watching those hearings with interest, because of charges that people in this state were victimized.

Nevada state law, forbidding interception of phone messages or eavesdropping on private conversations, is clear. It states that each Nevadan has the right to expect that his privacy will not be disturbed except with his permission or by court order.

Infringements of that right are punishable by up to 10 years in prison and a $5,000 fine. Anyone violating Nevada law, regardless of his affiliation or purpose, will be prosecuted to the fullest extent. Federal, state and local agents will not be immune to prosecution if the performance of their duties has been contrary to our statutes. I will ask the Attorney General to act on any evidence of violations, whether it is uncovered by congressional hearing or other investigation. Any private citizen with information in this regard should report it to his district attorney.

Wiretapping is a valuable weapon in the fight against crime and it is properly used in the apprehension of the enemies of society. But there is a prescribed method for securing a court order so that wiretapping becomes a legal instrument of society, not a method of disrupting it.

Nevadans have a right to live their own lives without fear of electronic invasion. The government of this state is pledged to protection of that right.

White House Conference Report

(This is the fifth in a series of Workshop Reports from the recent White House Conference on Equal Employment Opportunity, called by President Johnson to discuss ways and means of effectively implementing the new Equal Employment Opportunity Law set forth in Title VII of the federal Civil Rights Act of 1964. These reports were brought back from Washington by the three-man Nevada delegation to the conference--State Equal Rights Commission chairman William (Bob) Bailey, VOICE publisher Dr. Charles I. West and Dept. Atty. Gen. Daniel Walsh.)

Subject: HIRING, PROMOTION, AND DISMISSAL

PROBLEMS OF IMPLEMENTING Section 703 of Title VII, regarding hiring, promotion and dismissal, was the subject of Panel No. 6. Major issues were:

(1) Hiring practices, including the use of tests, discriminatory and unrealistic job specifications, tokenism in hiring, merit employment programs, and recruitment practices;

(2) Seniority systems which deny equal advancement and job mobility;

(3) Training of unskilled, unemployed people to meet qualifications for jobs, and training of employees to meet requirements for advancement;

(4) Preferential versus equal treatment to correct past inequalities in hiring;

(5) Respective responsibilities of management, unions, employment agencies, and civil rights organizations.

Initially it was apparent that the letter of the law could be obeyed to the fullest extent without eliminating discrimination in hiring and promotion. For the legislative intent of Title VII to be met, the law will have to be obeyed in spirit as well as in letter. To go a step beyond it will be necessary (1) to adjust traditional job qualifications when necessary, (2) to revise hiring practices which discriminate against non-whites, (3) to devise new programs to seek and find those capable of learning and advancing (4) to provide training and opportunity which non-whites cannot provide on their own, and (5) to eliminate established regulations and customary practices which have excluded many from equal employment opportunity.

Discrimination in hiring involves job descriptions which are too high and not suited to the real requirements of the job. Part of the controversy in this area revolved around whether an employee should be meeting qualifications of the initial job or should meet the qualifications of supervisory or more highly technical jobs. If job specifications and tests are geared to finding employees able not only to perform the tasks of the initial job but also capable of handling most higher jobs, then a large number are screened from the initial jobs who will be fully capable of performing assigned lesser tasks. Several conferees mentioned the need for industry to train "occupational analysts" to perform job audits, to rewrite job specifications, and to insure that tests are geared to find the right kind of employee.

JOB SPECIFICATIONS sometimes are designed to find an employee who can perform tasks of the job as soon as he begins work even though it might require only a minimum amount of training for an unskilled person to perform the same job. There was substantial agreement that it is not enough to write job specifications and then look for people who can meet them. The responsibility of all parties is to train people to meet requirements of the job. Industry should strive to cooperate with local school systems to insure that students are trained properly in skills which industry needs. Industry should be more willing to accept persons for employment who lack required skills but have the ability and desire to learn.

There was considerable difference of opinion on the use of tests in both hiring and promotion. Some believed that testing was discriminatory per se and that it had been the chief device by which large numbers of minority group workers had been denied equal opportunity in the job market; a few felt that testing was a right or prerogative of management and should not be challenged. Most, however, did not find fault with testing per se, but objected to the use of testing as the sole screening instrument or as a deliberate tool of discrimination. It was felt that tests must be designed to meet realistic requirements for jobs, that they must measure not only technical knowledge but the ability of a person to learn. It was felt that some tests are discriminatory because they contain certain cultural questions which many non-whites do not have the background to answer. In effect, the use of testing must be re-examined to determine if it is meeting the objective for which it is designed. Above all, testing should not be used as the sole means of disqualifying a person for a job.

(See REPORT, page 14)