

The Associated General Contractors filed reverse discrimination suits in both San Francisco and Oakland. In the San Francisco trial, the judge ruled this program illegal and unconstitutional. This case is being appealed, but there are 15 other reverse discrimination cases pending in contracting alone.

At the heart of all these examples and court cases is that **racism continues today**. The discrimination against racial minorities and women is the common practice of Bay Area employers and institutions.

In California there is a petition circulating to place on the November ballot, **an initiative that would outlaw affirmative action** programs in employment, education and contracting. If the U.S. Supreme Court upholds the Bakke Decision, this initiative can become law.

There is a growing need for a **united movement of people committed to the struggle against racism** to overturn the Bakke Decision. Community and neighborhood organizations, labor unions, churches, student unions and many concerned individuals have already joined the fight against the Bakke Decision. But this is not enough. Our movement needs to be even stronger and broader to overturn the Bakke Decision. All of us need to express our concern and put pressure on the Supreme Court, in whatever way possible.

NATIONAL WEEK OF EDUCATION AND ACTION AGAINST THE BAKKE DECISION AND RACISM

FEBRUARY 19 - 25, 1978

The **National Committee to Overturn the Bakke Decision** is working to see the Bakke Decision overturned. In our San Francisco Bay Area chapter, we have organized various events and activities with the help of community, labor, student and women's organizations, for the week of February 19-25.

People's Trial on the Bakke Decision and American Racism

Saturday, February 25, 1978

7:30 pm

Benjamin Franklin Jr. High School

1430 Scott

(near Geary & Divisadero)

San Francisco

Donation: \$1.50 adult

.50 under 12

childcare provided

For information on this and other activities contact:

**National Committee to
OVERTURN THE BAKKE DECISION**

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Bakke Decision Hits Bay Area

How the Bakke Decision will affect employment, education, and community needs in the San Francisco Bay Area.

The Bakke Decision, if upheld by the U.S. Supreme Court, will have a direct impact in the San Francisco Bay Area. The Bakke Decision threatens the legality and implementation of affirmative action programs and community services aimed at eliminating racial discrimination. The leading argument of the Bakke Decision is the myth of so-called "reverse discrimination", arguing that affirmative action programs discriminate against white people. THIS IS NOT TRUE. Even with the existing affirmative action programs, racial discrimination is still prevalent in education, in employment and in meeting community needs. These programs need to be improved and expanded, not eliminated.

If the Bakke Decision is upheld, our ability to equally fight racism and sexism will be undercut. We will lose the legal basis to defend ourselves against attacks. At the same time, programs such as affirmative action which are designed to get what is rightfully ours, will be taken away, they will be outlawed.

Following are examples of what we stand to lose in the Bay Area if the Bakke Decision is not overturned:

EMPLOYMENT

• **Chicano and women cannery workers** in Northern California have been victimized by seasonal, uncertain work, low wages, dangerous working conditions and harassment. They were kept in jobs with no training for advancement.

Rank and file workers organized the **Cannery Workers Committee** to fight these conditions and the discrimination that companies such as Del Monte practice. The CWC is trying to implement an Affirmative Action Program which would overcome these discriminatory practices. As opposed to the Affirmative action program proposed by union officials and company management which would discriminate against Anglo male workers. Said one CWC member, "We wanted to be fair about it. But we didn't want to get our jobs over somebody else's blood."

In the East Bay, the **Caterpillar Anti-Discrimination Committee** filed suit against the Caterpillar Tractor Company charging racial and sexual discrimination. One of the largest employers in the country (36th largest in the world), Caterpillar keeps Black workers significantly out of the better paying jobs. During 1976, Blacks held 222 (19.8%)

of the operative (unskilled) jobs and only 13 (7.7%) of the skilled craft jobs.

During the trial, Judge Williams acted as though the Committee members were the criminals in the case, instead of the victims—that they had done some grave wrong by bringing their case to court. If the court decision is unfavorable, the Committee will appeal the case to a higher court.

- A class action suit was initiated by a group of **women employees** charging Crocker Bank in downtown San Francisco with racial and sexual discrimination in its salary and promotion policies. It was settled last November **in favor of the employees**. As a result, more than 20,000 past and present employees of Crocker Bank are eligible for cash payments of back pay. This victory would not have been possible if "reverse discrimination" were the law of the land.

EDUCATION

- Hastings College of Law in San Francisco changed its admissions policies last summer, from a balance of Law School Admission Test (LSAT) and grade point average, to complete reliance on LSAT scores. This will seriously limit minority access to the **nation's second largest public law school**. LSATs are culturally biased to favor white, middle class students over minorities. They aren't an accurate measure of applicants' qualifications to be a lawyer. Just within the last month another change has been instituted, barring minority student organizations from participating in admissions decisions.
- The University of San Francisco has just proposed to **cut in half its Special Admissions Program** for minorities. Students on campus are organizing to protest the new policy change.
- In the **Oakland Public School District**, 82.2% of the students are minorities and only 17.8% are white. Yet 57.2% of the teachers, 41.4% of the principals and 62.5% of the administrators are white. There is definitely a **need for affirmative action programs** to balance the representation of educators to reflect the students who attend school in Oakland.

HOUSING

While some people are talking about "reverse discrimination", the conditions of discrimination against minorities are ignored.

- In January 1978, Red Carpet Realty in Alameda was charged with discriminating against a Black tenant by raising his rent five times the increase asked of white tenants in the same apartment building.
- A recent study showed that one third of the real estate brokers in Oakland admittedly practice or abet racial discrimination in housing. These practices include: refusing to open listings to minority brokers, outright refusal to rent or sell to minorities, raising the fear of unwelcome, charging higher interest rates and higher prices and giving shorter loan terms to minorities. The Oakland Real Estate Board in conjunction with the banks control who lives and buys homes where; in effect keeping minorities segregated into the worst quality housing and least developed neighborhoods.
- Minority communities in general are facing crises where incomes are low and decent low-cost housing is virtually unavailable. For example, in the San Francisco Chinatown 41% of the population falls below the Federal poverty line. There is an **obvious need for low-income housing**. Yet between the years of 1965 and 1972, the number of units renting for under \$100 a month **dropped by 160%**. The housing in Chinatown is being cleared away for the growing downtown Financial District, and no replacement housing provided for tenants, as in the case of the **International Hotel**.

BUSINESS

- In the construction contracting business, **less than 1%** of the monies awarded go to **minority contractors** in the State of California. To confront this form of discrimination, a "Percentage Requirement Affirmative Action Program" was developed to mandate public agencies to allot a certain percentage of bids to minority contractors. In San Francisco and Oakland public school districts, this meant that 25% of contracting monies would be awarded to minority contractors and 75% to white contractors.