

# NEWS FROM = **EEO1 Inc** =

RUTH BLUMROSEN, CHAIR OF THE BOARD | AL BLUMROSEN, PRESIDENT AND CEO

113 Pavonia Avenue, #369  
Jersey City, NJ 07310  
1-201-221-8413  
[www.EEO1.com](http://www.EEO1.com)

## **FOUR YEAR STUDY FINDING TWO MILLION MINORITIES AND WOMEN AFFECTED BY INTENTIONAL JOB DISCRIMINATION CRITICIZED BY EMPLOYER GROUP**

### **EMPLOYER ASSOCIATION CLAIMS ITS OWN MEMBERS' REPORTS TO U.S. ARE NOT ACCURATE**

Eight million women and minorities have benefited by better jobs under the Civil Rights laws, though two million were still affected by intentional job discrimination in 1999, according to a four-year study of employer reports to the federal government. The study has been attacked by a major employer group claiming that the reports, filed under oath, are "unreliable benchmarks for measuring discrimination." A sharp rebuttal to the attack was published today by the authors of the study, *THE REALITIES OF INTENTIONAL JOB DISCRIMINATION IN METROPOLITAN AMERICA—1999*, Professors Alfred and Ruth Blumrosen of Rutgers Law School, Newark, New Jersey. It is available at [www.EEO1.com](http://www.EEO1.com).

The Blumrosens maintain that the study is "employer friendly," and were "surprised" that the Equal Employment Advisory Council (EEAC), an employer association, would question "the integrity and sound judgment of the very employers that comprise EEAC's core constituency." The study can be accessed at [www.EEO1.com](http://www.EEO1.com). The EEAC Critique is noted at [www.EEAC.Org](http://www.EEAC.Org).

The EEAC also criticized the study for failing to account for chance in finding discrimination and for counting as discriminators those establishments that met Supreme Court rules for presuming intentional job discrimination. The authors explain that employers own assessments were more reliable than other data to establish benchmarks for discrimination because they would reflect community judgments. Long standing Supreme Court rules that presume discrimination by establishments that stand out like "sore thumbs" when compared to similar

employers in the same labor market, industry and occupation allowed employers to rebut the presumption by showing they had only legitimate reasons.

The 1,400 page study, funded by the Ford Foundation, was based on employer reports to the federal government over the last twenty five years. It compared employers' utilization of minorities and women with those in the same metropolitan area, industry and occupation, and found 75,000 employer establishments, out of 200,000 examined, engaged in intentional job discrimination in at least one of nine occupational categories in 1999. The majority of establishments had not engaged in apparent intentional job discrimination in that year, and could use the statistics in the study to support their defenses against discrimination claims.