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"Undoubtedly, disparate treatment was the most obvious evil Congress had in mind when it enacted (the Civil Rights Act)." United States Supreme Court, 1977

Full Florida and National Report Available at www.eeo1.com

SUBSTANTIAL JOB DISCRIMINATION FOUND IN FLORIDA ACCORDING TO FIRST-EVER COMPREHENSIVE STUDY

Employer Reports to U.S. Show African Americans, Latinos, Asians and Women Continue to Face Illegal Job Practices

A new, first of its kind study on minority and female employment—commissioned by the Ford Foundation, and conducted by Professors Alfred and Ruth Blumrosen of Rutgers Law School-Newark—reveals an alarming continuation of widespread, intentional discrimination by large and mid-sized businesses in metropolitan Florida. 5,260 Florida establishments affected nearly 81,000 minorities and women in 1999 according to this study, based on employer reports to the Federal government.

The study found that:

- A black worker seeking an employment opportunity in metropolitan Florida faces intentional discrimination one third of the time.
- A Hispanic worker’s risk is nearly thirty percent.
- Asian Pacific origin workers have a thirty-five percent risk of discrimination.
- Women faced the risk of discrimination nearly twenty percent of the time, regardless of their race.

This is the first time that employer-generated information has been analyzed using the Supreme Court’s clear definition of intentional discrimination. The report, Florida—1999, is part of a national study, The Realities of Intentional Job Discrimination in Metropolitan America. National and state reports are available at www.eeo1.com.
“Although our study shows a real improvement in minority and female employment opportunity in the last twenty-five years, we have a long way to go before we can declare victory over ‘the most obvious evil’ that the Civil Rights Act was designed to eliminate,” said Professor Alfred Blumrosen. “This unacceptably high level of intentional discrimination underscores the need for voluntary affirmative action and more effective law enforcement.”

*Florida—1999* is based on data reported annually to the federal government by companies employing fifty or more workers. The authors of the study had no access to the names or addresses of employers, but did know their metropolitan area and industry. The study identified qualified, employed workers who have experienced discrimination even though they possessed job skills.

The study analyzed data from most metropolitan areas in Florida. It singled out five areas where 84% of all the workers who were discriminated against in the state in 1999. These are Miami, with 31% of affected workers, Orlando and St. Petersburg, each with 17%, Fort Lauderdale with 10% and Jacksonville with 9%.

The study compared minority and female employment at each establishment with average employment in the same industry, occupation and metropolitan area. Employers were identified as "intentional discriminators" if their minority and female employment levels were so far below the average use in the same labor market, industry and occupation that it was unlikely to be by accident.

“Intentional discriminators stick out like sore thumbs compared to others in the same labor market, industry and occupational group,” said Professor Ruth Blumrosen.

No quota or other external standard was used to identify the intentional discriminators. They were identified solely because they fell so far below the average employment of minorities in the same industry and labor market, which was calculated separately for nine major occupational groups.

“Minorities and women carry this unfair burden when seeking an employment opportunity,” said Professor Ruth Blumrosen.

**The central findings of the study are:**

- 2,300 establishments discriminated intentionally against 34,000 African-American workers.
- 2,000 establishments discriminated intentionally against 25,000 Hispanic workers.
- Nearly two hundred establishments discriminated intentionally against 2,400 Asian-Pacific origin workers.
- 1,750 establishments discriminated intentionally against 27,000 women.
“Hard Core” establishments are those that were so far below the average that there is only a one in a hundred chance that it occurred by accident. 660 of these establishments appeared to discriminate against more than 15,000 Black workers; 322 against 10,000 Hispanic workers. Thirty-three establishments discriminated against nearly 1,000 Asian workers.

All minorities taken together faced job discrimination more than 25% of the time they sought an employment opportunity, and women faced such discrimination nearly 20% of the time.

Professors Al and Ruth Blumrosen, the husband and wife team who conducted the study, have been in the employment discrimination field since the 1960s. They recommend that the Federal government advise employers when they are at risk of being found to be discriminators so they may address the situation without litigation. They also recommend that the government adopt a 5-year plan to require establishments that appear to be discriminating to comply with equal opportunity laws. If the government does not inform these employers, the Blumrosens plan to make the information available to eligible employers and others through www.eeo1.com.