

## Affirmative action: city, commission disagree

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MACOMB - A report by the Equal Opportunity and Fair Housing Commission on an affirmative action and equal employment opportunity policy for Macomb is yet to be presented to council members for a vote six months after it was submitted.

The 37-page report, which is supposed to form the basis of the city's program, was prepared by the nine-member commission which, admittedly, drew on the practice in a number of other cities, including Galesburg and Bloomington. Members of the committee chaired by Essie Rutledge are Curtis Smith, Belinda Carr, Steve Collier, Larry Adams, Dan Lewis and Don Wynn.

The report was submitted to the mayor who, last September, referred it to the city attorney's office for review. Last September, the city mayor reportedly referred the report to the city attorney's office for review by the city attorney.

"Before any ordinances are adopted by the city council, they are always sent to my office for review. The commission's report was given to me last year, but I've had other priorities take my time. I only had a cursory look through, made a few marks; so I've not really reviewed it," said City Attorney Linda O'Brien. When prodded on the long period of time the report spent on her table, O'Brien said timeliness was the farthest thing from her mind.

"My job is to make sure that what we do is done correctly. My job is to ensure that we do not engage in any practice that is against existing laws of the state and the nation.

Timeliness is important, but what is more important is that we comply with the law."

Commission Chair Rutledge, implied, however, that O'Brien waited for too long a time before admitting at a meeting of the city council she "doesn't have expertise in equal opportunity law." Rutledge, also a WIU professor of sociology, said she was somewhat taken aback by that claim by O'Brien who, hitherto, only pleaded for more time to review the document.

"She never admitted to me that she doesn't have competence in that area. That only came out when the mayor invited (Cathy O'Neill) Couza to speak to the city council on what she could do. The mayor said the university offered to help, that it was another opportunity for the university to work together," said Rutledge.

Mayor Tom Carper said the city attorney's competence was not an issue except the fact she had too much on her plate.

"Let's face it, there are a million aspects of the law and you can't be an expert on all. This is a specialized area and it takes an awful lot of time. We have other things that have cropped up at this point in time that are, frankly, more important," Carper said. He also said the involvement of the university in reviewing the commission's report was partly dictated by this reality.

Incidentally, this measure did not go down well with several members of the Equal Opportunity and Fair Housing Commission. At the commission's February meeting, they took up the matter with the mayor, who reportedly acknowledged that not informing commission members of the impending invitation of Couza was "a mistake."

Beyond matters of courtesy, however, Rutledge said members have serious concerns about modeling the city's affirmative action program after that of the university.

"Affirmative action at the university has not been effective. Emphasis is on compliance rather than advocacy for diversifying the workforce," Rutledge argued. Rutledge said Couza's admission at the commission's March meeting that her responsibility within the university does not include monitoring compliance by vendors shows that what is needed is someone with city experience of affirmative action practices or an equal opportunity officer.

"We decided to send the mayor a letter asking him to secure the services of a lawyer who has expertise in equal opportunity law but, to this day, he has not responded to the letter," said Rutledge.

Rutledge said she perceives an attempt to either delay or abort the commission's work.

"One of the things I think is involved here is that the city is not ready to deal with its vendors who are contracted for various jobs because if you look at city employees, you see that there has been some progress towards diversity even though not at the upper level of city government."

While acknowledging receipt of the letter from the commission, the mayor said he "probably replied" but not in writing. Carper did not respond to allegations the city is deliberately slowing things down.

(For the rest of this story purchase the April 15 issue)

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