BETORE THE HUMAN RIGHTS COMMISSION
IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

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LESBIAN/GAY BUSINESS

PUBLIC HEARINGS TRANSCRIPT

Monday, November 7, 1983
5:20 o'clock p.m.

Public Utilities Commission
State Building
San Francisco, California, 94102

Reported by:
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APPEARANCES:

THE HUMAN RIGHTS COMMISSION:

PHYLLIS LYON, Chairperson
DAVID K. YAMAKAWA
JANE ZAMORA MOULTON
JOE LING JUNG
ESTA C. SOLER
GEORGE A. SUNCIN
JOHN J. MORRISSEY
SAMUEL H. CHUNG
BRENDA K. WADE
RICHARD H. SEVILLA
CARRINE LEE

THE HUMAN RIGHTS COMMISSION STAFF:

GRANT MICKINS, Director
GAIL ROBERTS
JACKIE WINNOW

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PROCEEDINGS

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CHAIRPERSON LYON: I would like to call these hearings to order.

And I would like to ask Director Grant Mickins to call the roll of the commissioners, so we know we have a quorum.

MR. MICKINS: Thank you, Madam Chair.

Commissioner Ambrogi?

Commissioner Jung?

COM. JUNG: Here.

MR. MICKINS: Commissioner Lee?

Commissioner Lyon?

CHAIRPERSON LYON: Here.

MR. MICKINS: Commissioner Morrissey?

COM. MORRISSEY: Here, sir.

MR. MICKINS: Commissioner Moulton?

COM. MOULTON: Here.

MR. MICKINS: Commissioner Sevilla?

COM. SEVILLA: Here.

MR. MICKINS: Commissioner Suncin?

COM. SUNCIN: Here.

MR. MICKINS: Commissioner Soler?

COM. SOLER: Here.

MR. MICKINS: Commissioner Wade?

Commissioner Weiner?

Commissioner Yamakawa?

MR. MICKINS: There is a quorum present, Madam
Chair.

(Reporter's Note: Commissioners Wade, Yamakawa and Chung arrived after the calling of the roll.)

CHAIRPERSON LYON: Thank you, Grant.

Do you want to go ahead and make the statement first, since that seems to come better in the order of business?

MR. MICKINS: Thank you, Madam Chair.

Madam Chair, persons and members of the Commission, members of the business community, Lesbian and Gay business community, and guests and friends, the public here, we are assembled here tonight to hear a function which the Commission has as a part of its role and responsibility pursuant to the provision of Chapter 12(A) of the Administrative Code.

Among many of the responsibilities and duties of the HRC, has as one of the most important, which is set out in the Administrative Code under Section 12(A)(5) and reads that in addition to other powers and duties set forth in this ordinance, the Commission shall have the power to study, investigate and mediate, hold committee hearings, the problems arising in the City and County of San Francisco, which may result in intergroup tension because of race, religion, color, ancestry, age, sex, sexual orientation, disability or place of birth.

In performance of its duties under this subsection, the Commission as permitted by law, may subpoena ad testificandum, setting forth the specific nature of its
inquiry and asking and requesting of the attendance and
testimony, under oath, of persons directly involved and
cconcerned, who may give information, goes on with respect
to the role the Commission plays in this regard.

The history and chronology of this function by
the Commission has been to utilize the public hearing as a
tool designed to identify the problems, if any, define the
issues, canvass the issues, and alternatives, and develop
recommendations and solutions. This process cannot and
does not operate in a vacuum, but must have the cooperation
and participation of all the parties to the problem.

The first use of the public hearing process, by
the Board of Supervisors, in cooperation with the Commission
occurred in 1965, involving the allegations of discrimination
in the hotel industry of San Francisco, and later in the
department stores of the City and County, and subsequently
the problems on San Francisco's Fisherman's Wharf.

Subsequently, legislation has been developed from
the public hearing approaches, such as, Chapter 12(B) of the
Administrative Code, which involves the equal employment
opportunities for minorities and women in city contracts.

And later, in 1976, Chapter 12(C), which is
really a public accomodation provision, which is spelled out
in the Administrative Code.

The Commission's work with the Gay and Lesbian
Community began in 1970, including work with the Pride
Foundation and other Gay organizations to bring about the
addition to the Administrative Code the protection for
Lesbians and Gays, and that is referred to in the Section I read which covers sexual orientation prohibition.

I might note that we were among the first municipalities in the State that has such a provision, and certainly we were very forward among other cities in the nation to come forth with this particular ordinance.

The work of this commission needs no elaboration. Many victories include resolution of a long-standing grievance of the Gay and Lesbian Community against the Pacific Telephone and Telegraph Company, and many of you recall we held public hearings in this very room. And the resolution of that agreement, which was ultimately a historic agreement reached, wherein the telephone company agreed to abolish a policy prohibiting any person they identified as a Lesbian or Gay from employment with the Pacific Telephone and Telegraph Company.

In this case, the Task Force on Racism has asked the Commission to find a solution to the problem area which has been identified as potentially inhibiting the development and growth of this vital movement.

The Commission is here in the spirit of conciliation and resolution. We are pleased that each of you who are here are here in the same spirit.

Thank you, Madam Chair.

CHAIRPERSON LYON: Thank you, Grant.

I would like to introduce Commissioner Richard Sevilla, who is co-chair of the Lesbian/Gay Committee to the Human Rights Commission.
COM. SEVILLA: I have a statement to read to the Commission.

These public hearings are being held to study the employment practices of San Francisco Lesbian/Gay businesses, specifically relating to race, color, national origin, and ethnicity.

Under Chapter 12(A) of the Administrative Code, which mandates that the Human Rights Commission hold public hearings on community-wide problems arising in the City and County of San Francisco, which may result in discrimination because of race, religion, color, ancestry, age, sex, sexual origin, disability or place of birth.

The Lesbian/Gay Advisory Committee of the Human Rights Commission has continually attempted to address the issues and problems faced by its community, both from outside and inside.

When the Task Force on Racism, a task force of approximately 15 organizations, came to them, concerning the two Gay bar surveys conducted by Black and White Men Together, the Committee recommended that the Human Rights Commission hold public hearings, in attempt to air and alleviate those problems.

The Lesbian/Gay Advisory Committee and the Human Rights Commission felt that the problem existed beyond the boundaries of the bars, so expanded the scope of the hearings to deal with for-profit businesses, that function as a social base for community members. However, the hearings will also delve into other business areas, as well.
The Commission, through the hearing process, and what input from various portions of the Lesbian/Gay community, hopes to make recommendations which will work toward ameliorating a situation which may exist.

As Phyllis Lyon, Chair of the Human Rights Commission has strongly stated, "The Human Rights Commission wishes to make it quite clear that these hearings are not intended, in any way, to infer that discrimination exists solely in the Lesbian/Gay community, or that it is endemic to that community. The hearings are an attempt to air and mediate a problem that exists within the Lesbian community, which some members of that community feel need to be addressed, and think the Lesbian/Gay community will be able to act as a role model for other communities to deal with intergroup discrimination issues."

CHAIRPERSON LYON: Thanks, Richard.

Then, since I'm the Chair, I get to do the housekeeping bit. First of all, did anybody lose some car keys? We found them on the floor. They appear to be car keys. Maybe it was another group.

As it has been mentioned, the reason for these hearings, and this is the first of a series of two, the second one will be held on November 21st, is to hear testimony from organizations, businesses and individuals who may have something to say specifically, with relation to discrimination within the Lesbian and Gay community, business community, on the basis of race, color, national origin, and ethnicity.

We will give organizations ten minutes to speak.
We will give businesses and individuals five minutes to speak.

And Ms. Gail Roberts, right in front of me, from the Human Rights Commission staff will be the time-keeper.

She's got all kinds of signs and a bell. So, you will give a one minute warning, towards the end of your speech.

We are going to start out with organizations, followed by bars, businesses, and individual statements, then restaurants, cabarets, night clubs, businesses, and individuals relating to those businesses, hotels, businesses and individual statements and miscellaneous, which I'm not sure exactly what it is. But we will deal with that.

Just very swiftly, I would like to give a lot of thanks to Jackie Winnow, who is the Lesbian/Gay community liaison and who coordinated all of the various facets of these hearings and did an awful lot of work, aided by the intern staff and volunteer staff, Joanne Berg, Bob Duvors, Eileen Gillis, Leonard Parsons and Ted Robinson, the Lesbian/Gay Advisory Committee.

We have sign language interpreters, Lynn Paleo. Franceca Dubie is a child care worker, who I presume is taking care of the children, at this point.

Lowell Torno is our veteran transcriber and stenographer, who has been through a lot with this commission this year. And the Parade Committee is also to be thanked, especially Paul Gross and Susan Grautier for their assistance and monitors.
We will take a break in probably an hour and
fifteen minutes, or so, and run until 9:00 or 9:30, if it
is necessary.

We would like to end by 9:00 if we can.

Now, who has got the list of who signed up?

I should say, if you want to speak, you need
to have signed up at the table back at the door.

Okay. Ms. Winnow, the first speaker will be
John Teamer and Tom Horan, from Black and White Men Together,
San Francisco Chapter.

CHAIRPERSON LYON: Okay, John Teamer and Tom
Horan, you have ten minutes.

MR. HORAN: Good evening, Madam Chairman and
Commissioners.

Black and White Men Together, San Francisco,
also known as BWMT, was founded in 1980. It grew out of
a desire for gay men to further explore international
interaction. The San Francisco Gay community, particularly,
and the gay bar network, is a textbook example of institutional
racism.

While most white bar managers abhor racism,
nonetheless, consciously or unconsciously maintain an
all-white vigil over their network. This situation is
unhealthy. Clearly, there must be a change.

Black and White Men Together became actively
involved with this issue in 1982, almost two years ago,
as a result of primarily observations of the dramatic
underemployment of people of color in the gay bars in the
San Francisco community.

Unfortunately, due to the fact there has been very little positive in this employment situation, our efforts continue to the present.

Basically, in 1982, we made two surveys, and I think you have all seen the results of those surveys, so I will not delve into statistics.

But there was, and is, dramatic underemployment of people of color. This is one of the things that led us into taking -- undertaking this project. Also, we have received personal testimonies from minorities who have had little success or access to the gay bar job market, and their testimony strongly suggests to us that their racial and ethnic heritage was a factor in their exclusion.

BWMT is an international organization, whose members are a part of this community. The unavailability of jobs for minorities in the community, and worse, the casual acceptance of races by important elements, and the most visible element in the community, adversely affects us all.

BWMT is morally and legally impelled by our Constitution to, especially since no other segment of the gay community had, raised the problem. The emphasis and overall strategy of our efforts, thus far, has been, one, bring the problem out before the gay community for discussion. Secondly, to apply public pressure to get the bar owners, managers, to assume responsibility for the problem, and hopefully to come up with solutions that would better serve
the interests of the total community.

So far, our efforts to resolve the issue have seemingly fallen on deaf ears, as far as getting any form of response from those persons in power to make changes. We have sent letters and copies of the employment discrimination project report to almost every bar employer, individually, outlining the problem from our perspective, and offering to help to work with them toward a solution. We have received virtually no response.

We have appeared before the Tavern Guild twice, again, making our presentations and appealing for help, and again, we have received no response.

As an outgrowth of public discussions surrounding the employment discrimination project report, a broad-based coalition task force was formed, namely the task force on racism in the Lesbian/Gay community. Gay employers were, again, specifically invited to join and/or participate, but none did or has.

In spite of the nonresponsiveness of those individuals and groups who have power to open up the gay bar job market to all individuals, regardless of their racial and ethnic heritage, BWMT's commitment to resolve is still strong.

We are pleased and encouraged to have broad-based support from many of the gay community, and this will be important, as we take this struggle into the next day.

Thank you.

MR. TEAMER: As recently as 25 years ago, there
was no Lesbian and Gay community, as such. There were a
few bars in major cities, but Lesbian and Gay people, as
people, had no community of our own.

As civil rights and women's movements began to
unravel the complex system politically and legally, which
has been used to restrict the minority access to the main-
stream, the emerging Lesbian and Gay community remains
unaffected, except to benefit from the progress of other
minorities.

Employment opportunities did develop in our
Lesbian and Gay institutions which, for the most part, were
bars, restaurants and very small businesses, tended to follow
a familiar pattern. Job opportunities were never advertised.
When a position was available, it was filled by a friend
or a friend of a friend. Occasionally, it was filled by
a regular customer.

Today, that old boy network or hiring practices
is so thoroughly ingrained that employers are unwilling to
accept that it has the effect of denying employment
opportunities to nonwhites.

Employers refused to admit they are discriminating.
They have defended the integrity of their process, even
though they've produced an all-white staff.

BWMT has spent nearly two years working to end
this discrimination. We have taken every step that
reasonable people could have asked of us. We gathered facts.
We presented them to the people with the power to produce
the change. We asked them to change. We offered our
assistance. We were never confrontational. Any business
person who had any interest in social justice had ample
opportunity to act. Our requests were simple:

One, that they revamp their hiring practices
so people of color could be informed about the existence
of jobs.

Two, that when necessary, they revise their
hiring and training policies to allow their staff to
realistically reflect San Francisco’s racial and ethnic
diversity.

And three, that they join with BWMT and the task
force to combat discrimination of the Lesbian/Gay community.

The response we have received from all but a
few has been constant silence. The same silence, we
sorryfully expect to hear today.

BWMT recognized that we are raising the question
of discrimination within a group which, itself, faces
discrimination. We have been accused of providing
ammunition to the Anita Bryants and Jerry Falwells of the
world. Any ammunition being provided comes from those who
persist in discriminating, not from those who struggle to
end this injustice.

We have been attacked as dividing a Lesbian and
Gay community when what we are doing is working to bring
this community together from the damage done to us by those
who discriminate against some of us.

BWMT proceeds with raising the issue, because
we know that the Lesbian and Gay community does not endorse
racial discrimination. We stand here today to ask the
Human Rights Commission to use the full extent of its good
offices and statutory authority to coerce the offenders into
doing that which they have refused to do voluntarily.

If the combined forces of the Human Rights
Commission and the Lesbian/Gay community at large are not
adequate to convince the offenders of the need for immediate
change, then there are no options left to choose specific
offenders and to take away their clientele. No one wants
to begin that process.

But the only people who have the power to prevent
that strife are the same people who have the power to change
the employment practices.

BWMT's position is firm. This issue will not
disappear until all Lesbian and Gay men, regardless of race,
creed, or ethnic background, can rely upon receiving fair
and equitable treatment throughout our Lesbian and Gay
community.

Thank you.

CHAIRPERSON LYON: Are there any questions from
the Commission to either Mr. Teamer or Mr. Horan?

COM. MORRISSEY: I have a question.

CHAIRPERSON LYON: Okay.

COM MORRISSEY: With reference to the Lesbian
and Gay bars, is the employment in your observation, generally
restricted to people who are in the Lesbian/Gay community
or not?

MR. HORAN: Are you asking me if the people who
work in Lesbian/Gay businesses tend to be Lesbian and Gay people?

COM. MORRISSEY: And the owners, thereof, yes.

MR. HORAN: It is very difficult to determine who the owners of some of these places are, so I would not comment on the owners. I personally know some owners, who are not Lesbian or Gay people. Some are.

Without having done any real study, I would suspect that in most cases, the overwhelming majority of those people are, in fact, Lesbian or Gay men or women, yes.

COM. MORRISSEY: Would you say then that we are, at least initially, concerned with nondiscrimination within the Lesbian and Gay community, insofar as the bars are concerned?

MR. HORAN: Concerned with nondiscrimination -- yes, that is the issue we are raising.

COM. MORRISSEY: Thank you.

CHAIRPERSON LYON: Yes, Commissioner Chung.

COM. CHUNG: The BMWT is known as Black and White Men Together. They consist of the Gay members, too?

MR. HORAN: Yes. Our organization here in San Francisco, to the best of my knowledge, I am the co-President, to the best of my knowledge, is composed exclusively of Gay men. There is nothing in our charter that restricts us to Gay men, but that seems to be the way it is right at the moment.

COM. CHUNG: How many, do you think, that Gay business owners exist in this town?
MR. HORAN: How long?
COM. CHUNG: How many?
CHAIRPERSON LYON: How many Gay business owners are there?

COM. CHUNG: Yes.

MR. HORAN: I couldn't even take a guess.
COM. CHUNG: I tried to find it out, what is the present percentage of the number of the Gay businessmen, and if so, the employment --

MR. HORAN: Again, I don't honestly know the answer. In many cases, the businesses managed by somebody on sight and owned by somebody who nobody has ever seen. I wouldn't even try to guess anything about the personal lives of business owners.

COM CHUNG: I think we have to have some statistic, data, before we can come up with some conclusions.

MR. HORAN: I would suggest, perhaps, the Human Rights Commission has the power to get that information. I know I don't.

CHAIRPERSON LYON: Yes, Commissioner Moulton?
COM. MOULTON: You are an international organization; aren't you?

MR. HORAN: Yes, we are an international organization.

COM MOULTON: Yes. I had heard you on one program. You know, I was reading this statement from the Asian gentleman, where he states that the white Hispanic was a light-skinned, I believe, what he said, he was hired.
I just, you know, think about it, because that's what we are saying the Latino community, you know, if you look European and Spanish, that's no problem. But if you look Chicano or Indian, that's out.

I'm not asking you a question, I'm just making a comment, okay? My comment to both of you, is the same, like we have to sit down many years ago in the Chicano community with a Ceasar and say, ask, our white brothers and sisters to put up picket lines because nobody is going to give you what they have regardless, unless you put up the picket lines, unless you put, you know, the pressure on and say, "Hey, you know, we're all in it together, buddy." That's it.

MR. HORAN: We have conversations along that line.

CHAIRPERSON LYON: I think that if we don't have applause, we can get through all of this faster.

Commission Sevilla?

COM. SEVILLA: I would like to know, in your research, or just from your observations, how often did you find the people of color were actually in the management in the bars that you looked at?

MR. HORAN: We didn't break our statistics down that way, so I don't really have an accurate number.

Our numbers were based on visual observation of who was on the premises and in, obviously, in a working capacity the two nights we were there. It's certainly conceivable that in some of those bars, a manager would be
behind the bar, tending bar. There's no way we could tell.

COM. SEVILLA: What about those bars that we
know to be typically, or predominantly attended by either
Latinos or blacks? Did you find their employees behind the
bar were mixed, or did you find they were predominantly the
same ethnic background as the clientele?

MR. HORAN: Our numbers, I would say, would show
a certain mix in the bars but are catering specifically to
ethnic minorities or to racial minorities.

But they were, in fact, heavier on the side of
whichever minority was attended to be patronizing that bar.
Of the 99 bars that we surveyed, if you took out just a few
bars, you would delete almost half or more than half of the
racial and ethnic minority individuals that we saw working
in just those four bars.

COM SEVILLA: So, the largest concentration were
in the ethnic bars?

MR. HORAN: Yes.

COM. MOULTON: What would be the percentage,
60, 70, 80?

MR.HORAN: In the minority bars?

COM. MOULTON: Yes. You said "over half"?

MR. HORAN: I think we went from about ten percent
to four percent, something like that. So, I guess those four
bars are counted for something in the vicinity of 60 percent
of the observed minority employees.

CHAIRPERSON LYON: Commissioner Morrissey?

COM. MORRISSEY: I have before me something that
was given out for this proceeding, I guess, under the
letterhead of "Golden Gate Business Association, GGBA --

MS. WINNOW: They will be speaking.

COM. MORRISSEY: I know. I wanted to ask a
question of this gentleman about a statement made in it.
It says, you know, the Golden Gate Business Association --

MR. HORAN: Yes, I am familiar with it.

COM. MORRISSEY: It says it has never received
a complaint of discriminatory practice by a member business.
Now, if I understand you, you have stated that
at least some of the businesses, the bars, have been
observed, as far as you are concerned, to be discriminatory,
and have made some representations.

One is the explanation? Is there no bar in this
business association?

MR. HORAN: I'm not sure there are any bars in
the GGBA, and there are basically two organizations which
represent business people in the Lesbian/Gay or -- at least
on the male side. I am not sure how many organizations might
exist in the Lesbian community or when you get mixed.

The GGBA is quite similar to a Chamber of
Commerce kind of thing. The organization has the bars as
members, as the Tavern Guild, and it is an organization of
bars and restaurants.

So, this is where you would expect to hear issues
relating to --

COM. MORRISSEY: So there is no conflict between
what is stated and your testimony, your organization and
what I read from the Golden Gate Business Association?

MR. HORAN: No. Our survey was of bars, not of businesses.

COM. MORRISSEY: Thank you.

CHAIRPERSON LYON: If there are no further questions, thank you very much, Mr. Teamer and Mr. Horan.

MS. WINNOW: Jerry Dunbar of Gay American Indians.

MR. DUNBAR: Commissioners, we Gay American Indians are here to address the issue of discrimination, not only in the Gay community, but society in general.

Ever since the white man set foot upon this land, he has maintain discriminatory and racist policies against the original inhabitants of this land, which you call America. Soon, a national Thanksgiving holiday will be celebrated. We, as Indian people, will be giving thanks to the Great Spirit for having created us, but it is our practice to do so daily.

We will give thanks to Mother Earth, for without her generosity, we could not live. We will also be thanking our elders for their lives, for keeping alive our Indian customs and traditions.

The pilgrims, the very first boat people to arrive on the shores, were fleeing their homeland because of persecution and discrimination by their own kind. They arrived diseased, poor, and starved.

The Indian people took pity and provided them with food and shelter. The pilgrims asked if they could
share some of the land.

The Indian people believed the Great Spirit
created enough land for all to share. But, this was not
enough for the white man. They wanted more and more, and
more. The gratitude of pilgrims, toward their benefactors
was to massacre 400 Indian people to celebrate Thanksgiving.

The ideologies of western man, be it
capitalism, socialism or communism, a little respect for
anyone, let alone Mother Earth. They rape, scar, pollute
and exploit her.

They care not for the environment, but their
own greed. That has been the history of the whites upon
this land. Indian people are seen only as objects to be
removed.

How can we expect any community to act differently,
when society continues to perpetuate discriminatory
practices?

So, it is not surprising to find society,
despite laws and ordinances to protect nonwhites, not
enforcing them.

What is surprising, is finding discrimination
of minorities within a minority, not only in bars, but
throughout Gay businesses and society everywhere.

We, as Indian people, cannot just speak out of
discrimination or racism in the Gay community, but must
consider it as an extension of an overall illness of society
as a whole.

Over the weekend, the San Francisco Chronicle
stated the jobless rate in the United States was 8.8 percent, the lowest since February of '82.

They mentioned blacks, Latins, Asians, women, but no American Indians. There are 25,663 civil service employees in San Francisco, or which 73 are Indian. The Fire Department has two. Muni has 17. Public Works, seven Indian males. Public schools, five. And police, seven.

There are no American Indians in the Mayor's office, Assessor's office, District Attorney's office, City Attorney's office, or the Human Rights Commission.

Each of the San Francisco Supervisors, according to the budget, has allowed funding for two aides, administrative and legislative. There is only one American Indian serving in this capacity.

The city government serves as a role model in this issue. How can anyone expect any group or community to adhere to these laws and ordinances, if government will not follow their own policies?

Society has stereotyped the Indian people far too long, as evident in the media's portrayal of us, as currently typified in the Hubba-Gum T.V. commercial, 7-11 T.V. commercial, and Iron-Eyes Cody acting in the airline commercial and anti-littering commercial.

Stanford University alumni are trying to restore the "Indian" as their mascot. To this, we say "How dare they?" The white man has never shown any respect for Mother Earth or anyone else. These people will paint their faces purple, wear teathered bonnets, whoop and holler, as
"Hollywood Indians." Indians are human beings, not mascots.

It is apparent that discrimination exists against Indians. We are the forgotten people. Even Black and White Men Together forgot to mention Indians in their report. I guess we are listed as "others."

Discrimination and racism is quite obvious. Just walk down the Castro. Straight punks, be they white, black, Latin or other, will hassle you for being Gay. Then to be in a Gay area like the Castro, you do not see any visible nonwhite Gays, as clerks, cashiers, attendants, waiters, or management personnel, but these businesses do enjoy our dollars and patronage. Even the Gay magazines and publications continue to portray white males with blond hair and blue eyes, as the norm, the most worthy, and desirable.

In the Gay community, perhaps the Golden Gate Business Association or the Tavern Guild, should be held accountable for overseeing that Gay businesses and bars follow and adhere to nondiscriminatory and anti-racist policies, and promote affirmative action in these areas.

Then, maybe then become the role model for society in correcting these wrongs.

Thank you.
CHAIRPERSON LYON: Are there any questions?
COM. MOULTON: I would like to ask him --
CHAIRPERSON LYON: Yes?
COM MOULTON: I would like to know, what is your nation?
MR. DUNBAR: Impeyan.
UNIDENTIFIED SPEAKER: Excuse me. Our statistics were based on the EEO office, civil service breakdown, 1982. '83 wasn't available.

CHAIRPERSON LYON: Thank you.

Our next speaker?

MS. WINNOW: Our next speaker is Jack Dawal.

We are taking him out of order -- he is giving individual testimony -- because he has to leave early.

CHAIRPERSON LYON: Okay.

MS. WINNOW: Mr. Dawal?

MR. DAWAL: My name is Jack Dawal. I am a 30-year-old Filipino, who has been a resident of San Francisco for 25 years. I have been employed by the United States Equal Employment Opportunity Commission since 1974, and since 1979, as an Equal Opportunity Specialist.

I have been assigned to investigate and facilitate charges of employment discrimination against employers and unions on the basis of race, color, sex, religion, national origin, and/or age.

I am not officially representing the EEOC at these public hearings, conducted by the Human Rights Commission of the City and County of San Francisco. However, I am using my knowledge and expertise in employment discrimination law to present personal, but credible, testimony regarding the employment and hiring practices of Lesbian and Gay businesses.

Example number one: A former employee of the California State Department of Fair Employment and Housing
supplied me with the facts of a race discrimination complaint filed with the State agency.

In 1973 or 1974, a black male had applied, but was denied gainful employment as a bartender at a Leather Bar in the south of Market. The employer asserted that the denial of employment was based solely on the fact that his bartenders are required to free pour, without spilling one drop, ten well drinks within five minutes. In addition, the respondent maintained that based on the complaintant's experience, the employer did not believe that he was the best qualified candidate. To ascertain the respondent's assertions, the State Investigator, a female, conducted an on-site investigation on the weekend night.

The State agency determined that the employer's reasons were a pretext to discriminating as the charging party because of his race, and that, (a) most of the bar's patrons ordered and drank beer, (b) none of the bartenders, all of whom were Caucasian, did not meet the respondent's requirements; and (c) the complaintant's was not given the opportunity to successfully demonstrate that he could meet the same criteria.

Example number two: My former roommate, a bare-complexioned Hispanic, and a Caucasian friend of mine, both worked, but at different times, at another South Market bar. When I asked each of them about employment opportunities, they replied that even though the establishment has a large Asian clientele, the bar does not hire individuals of my race and/or national origin.
In September, 1981, I attended the Professional Bartenders School. The instructor, who knows I am Gay, ascertained the statements made by my two friends, by stating that "employment opportunities for nonwhites in Gay bars are nonexistent."

Several months after completing Bartenders School, I encountered a fellow student, who made it known in class that as soon as he completed the course, he would be hired by the same bar that employed my former roommate and friend. This individual -- a Caucasian -- informed me that there was a vacancy at his place of employment.

When I applied, the manager asked me how I heard of the vacancy. I was also informed that there were no positions available, but that I would be notified of future vacancies. Since applying, I have seen several new hires, all of whom are Caucasian. The employer, however, has never notified me of available positions.

Example number three: In 1982, in response to an ad in the Bay Area Reporter, I applied for a bartender's and/or waiter's position at a bar located in the lower Pacific Heights.

During my interview, the manager attempted to discourage me by stating that (a) the bartender's position had been filled; (b) the waiter's position did not pay much; and (c) he was not sure if he needed to hire another waiter.

Nevertheless, I requested the manager to inform me of his decision and to consider me for future vacancies. The manager has not contacted me since submitting my
application.

Example number four: Also, in 1982, a Polk Street bar, which I patronize, was without a waiter on a night I decided to stop by for a drink. Instead of being one of the customers, my Caucasian friend, who was one of the bartenders on duty, accepted my offer to work as a waiter, without pay, for the rest of the evening.

He not only showed where the supplies were kept, but encouraged me to apply for the position. The other Caucasian bartender, who is also a friend of mine, suggested that I give his name when I submitted my application, which, incidentally, required a recent photograph. When I did submit my application, a third Caucasian bartender stated, "Lots of luck; you're going to need it" -- inferring that the owner only hires Caucasians. Even though I still patronize this bar, the owner has never acknowledged the fact that I had worked for him without pay. Moreover, I know that a Caucasian had been hired for the position in question.

In addition, when that person resigned, he was replaced by another Caucasian.

Example number 5: In July, 1983, a friend of mine and I were at a bar and restaurant located in the Castro. During the evening, my friend introduced me to the owner of the establishment. Subsequently, my friend casually asked the owner several questions regarding his hiring practices.

His response, as well as my past experience,
indicate that positions such as bartender and waitperson
are filled by word of mouth.

As a result of this unfair employment practice,
which impacts on minority men and women, employment
opportunities for nonwhites in Gay bars are nonexistent.

In addition, most of these establishments are
not within the jurisdiction of the United States Equal
Employment Opportunity Commission. In that, individually,
they employ less than 15 employees.

Thus, grieved parties, like myself, are only
able to seek administrative redress through the California
State Department of Fair Employment and Housing.

Collectively, however, as members of the Tavern
Guild and/or the Golden Gate Business Association, these
establishments employ a sizable number of the Bay Area's
civilian laborers. Nonetheless, the hiring and employment
rate of nonwhite women and men in Lesbian and Gay
establishments are far below the 1980 sensus, which show
that minority men and women comprize 28.4 percent of the
bartenders and wait persons in the San Francisco/Oakland
area.

Therefore, it can only be concluded that most,
if not all, of the Lesbian Gay businesses perpetuate the
"all white American" image by failing and/or refusing to
hire qualified minority women and men.

And, even if we are hired by a Lesbian or Gay
owned business, we are stereotypically employed, like a bar
and restaurant in the Castro in jobs where we do not have
direct public contact. We are either bus persons, cooks, or janitors.

In closing, I ask the Lesbian and Gay community re-assess our business and hiring practices so as to include qualified individuals, regardless of race, color, national origin or ethnicity. To deny employment opportunities to your nonwhite sisters and brothers, is to defeat the goals we have accomplished, regarding our rights as Gays and Lesbians.

CHAIRPERSON LYON: Are there any questions of Mr. Dawal from the Commissioners?

I would just like to remind anybody that individuals speaking as individuals, from their own experiences, are limited to five minutes, and as are businesses, and organizations may have ten minutes.

Also, if the character over there wouldn't applaud all the time, we could get through faster.

Okay.

MS. WINNOW: Norm Nickens, Coalition for Human Rights.

MR. NICKENS: Good Evening. It is important to note from the start of these hearings, that discrimination on the basis of race and ethnicity is not unique to the Gay community. What is unique about these hearings was the fact that they were requested by the Gay community in an attempt to fully air problems of discrimination that may exist within the Gay community, and that the Gay community, itself, is attempting to resolve these differences.
While these hearings are not designed to single
out the Gay community, they are designed to show that
Gay and Lesbian businesses are not outside the law. This
hearing should be viewed as a positive attempt by one
community to resolve those vestiges of racism that may exist
within that community.

There are those individuals from the general
community who would point to these hearings in an attempt
to justify their own homophobia.

The image of an all-white, fluent, Gay male
community has been sealed in part by the public image that
the Gay male community presents, as demonstrated by the
report of the employment discrimination project of Black
and White Men Together, racial minorities are not a visible
part of the work force in Gay and Lesbian businesses.

The Gay community, itself, suffers from many
of the same prejudices by the fact the larger community and
as Gay people, we are unaware that prejudice of long standing
is not really susceptible to change, and that attitudes are
less easily changed than behaviors.

However, these attitudes become unacceptable
when they are translated into policy -- whether formally
or informally -- such as employment practices, based
on prejudice and stereotypes.

The political focus of the Gay community has
long been on civil rights and equality. The time has come
for the Gay community to look to our own house; to see if
we are sheltering the practices that we have worked against
for so long.

This Commission will hear testimony from others on the nature and extent of discriminatory practices within Gay and Lesbian businesses. Too often in the hearings, such as these, much is heard about the degree of the problem, but few solutions are offered.

The following recommendations are offered in an attempt to bridge the gap between the problem and the solution.

Recommendations:

First, this Commission needs to actively investigate individual complaints of discrimination on the basis of race, as we would expect this Commission to pursue individual complaints alleging discrimination on the basis of sexual orientation.

Second, this Commission should work actively with Gay businesses and employer organizations, such as the Tavern Guild, the Golden Gate Business Association, and the Merchant Associations in the Castro/Polk Street and South Market, to review their employment procedures and hiring policies for discriminatory practices, or disparate effect on racial minorities.

Third, this Commission should work actively with representatives of the Gay community and Gay businesses to establish procedures designed to attract qualified applicants for available positions in Gay and Lesbian businesses. Specifically, this Commission should assist in the design of programs to target applicants from the
racial and ethnic minority communities.

Fourth, this Commission should encourage the Gay and Lesbian media to present a balanced picture of the Gay community; a picture that reflects the racial, ethnic, sexual diversity of the Gay community.

Gay men and Lesbians are present in every socioeconomic, ethnic, age and racial group. As we reflect the larger community, so must our businesses and organizations reflect the many elements of the Gay community.

The time has come for the Gay community to demand that its businesses and organizations institute formal procedures to voluntarily increase the presence of racial minorities in our businesses.

Practices rooted in stereotypes, resulting in discrimination, run contrary to the standards of social justice demanded by our community, and to be expected from our community.

Thank you.

CHAIRPERSON LYON: Thank you. Are there any questions?

Yes, Mr. Morrissey?

COM. MORRISSEY: With reference to your remedies, particularly the last couple of sentences, are you urging that complaints be made before the Fair Employments Practices Commission of the State or before the Federal Agencies or in the court?

MR. NICKENS: Where there is jurisdiction.

COM. MORRISSEY: That is where there would likely
be jurisdiction; isn't that correct?

MR. NICKENS: Yes.

CHAIRPERSON LYON: Any other questions?

Yes, Commissioner Chung?

COM. CHUNG: Suppose there is no Gay member minority who is seeking a job in the so-called white majority owner of a bar or business owner, without some difficulty, too?

MR. NICKENS: If the applicant was non-Gay?

COM. CHUNG: Yes.

MR. NICKENS: I would expect that Gay employers would abide with the law and the regulations of the San Francisco Civil Rights Commission.

I would assume that a non-Gay applicant, that applied to a Gay business, he would receive equal treatment.

COM. CHUNG: Thank you.

COM. MOULTON: When you were reading the jurisdiction, is the one that I'm still trying to put together in my mind, who has the jurisdiction other than the Commission that Dave Garcia was on?

CHAIRPERSON LYON: Has the jurisdiction over what?

COM. MOULTON: Has jurisdiction to go into these businesses. Can they not get, you know, Federal money, you know --

CHAIRPERSON LYON: Nobody has jurisdiction unless in that sense, other than to attempt to mediate and attempt to persuade, which certainly the Human Rights Commission has, and certainly so do all of the other Gay and Lesbian
organizations in the community have that.

MR. NICKENS: I would assume that the Human
Rights Commission, through its dispute regulation service
and mediation service, could facilitate that sort of
discussion.

COM. MORRISSEY: I would like to ask, though,
the staff director, whether or not it is, indeed, true that
the State agencies, the courts, would have more clout, with
reference to an actual discrimination case in a private bar,
for example, in the city of San Francisco, than would this
agency?

MR. MICKINS: Our role, as the speaker points
out, is primarily in the area of dispute resolution,
conciliation. The State Department of Fair Employment and
Housing have the jurisdiction, with respect to race
discrimination enforcement aspect, fines and other cease
and assist orders that might occur.

COM MORRISSEY: Isn't it true that the bars are
licensed by the State?

MR. MICKINS: Correct.

COM MORRISSEY: And that agency, too, would have
some jurisdiction, with respect to licensing?

MR. MICKINS: No question about it.

COM. MORRISSEY: Thank you.

CHAIRPERSON LYON: Yes.

COM. MOULTON: What I am hearing, because I have
been in discrimination cases, so that is something I know
quite well, but I would think that somebody, one of the
speakers, would formally say, "Do it," so that the
Committee can start taking these complaints, so that the
Committee can go through that.

    I have heard only, "You should do it because
you are involved in it," but I want to hear you say is,
"Do it."

    MR. NICKENS: In that case, please do it.

CHAIRPERSON LYON: Any other questions of
Mr. Nickens?

    Thank you.

MS. WINNOW: Randy Stallings of the Alice B.
Tokles Lesbian/Gay Democratic Club.

    MR. STALLINGS: Commissioners, good afternoon.
The Alice B. Tokles Lesbian Gay Club is most
heartened to see you at today's hearing.

    We are part of the community that is not afraid
to confront issues that others shrink from. The Lesbian/Gay
community is no more racist than anyone else. Yet, our
tradition of progressive support for the civil rights
of all people, demand that we confront those in our midst
who continue to discriminate against third world people,
women, the elderly and the disabled.

    It is unfortunate that when some people accept
their Gayness, Lesbianism, or bisexuality, they still cannot
overcome their prejudice against those that are different
than they.

    This is especially ironic considering how badly
oppressed we are as a community. We, of all people, should
understand discrimination. But this, unfortunately, is an ideal, not a reality.

Over the years, the image of a Gay person to the general public, has always been young, attractive, white and male. The majority of our community is overlooked. The Madison Avenue and the media, both straight and Gay, have perpetuated this myth. Many Gay people, especially those who are young and attractive, white and male, have bought into it. They are missing out on so much. They are eliminating any interaction with other generations, with the opposite sex, and with people with different racial, ethnic backgrounds, from their own.

Some business establishments, most notably, bars, are perpetuating these philosophies and refusing, and in some cases to even serve nonwhites and women, yet they are defiant. If their businesses encounter discrimination by an anti-Gay bias, they are in effect saying it is a discrimination, as long as it is a discrimination against a Gay white man.

These attitudes grow cheap in our movement and threaten to polarize us as a community. Sexual liberation means just that. It means that all of us should have the right to fraternize with whomever we please. We do not need bar owners and others dictating who we should drink with and what type of people should serve us those drinks. The bars and similar business establishments have always been the backbone of our community. The Stonewall, Elephant Walk, Pecks Place, always have filled an emotional
element in our turbulent history.

We have often gone to bars to be in a supportive and liberated environment. It is tragic that some of these are not liberated.

Alice B. Tokles Lesbian/Gay Democratic Club supports the work of BWMT to bring to everybody's attention to end discrimination against the third world people -- in this case, blacks.

We now have an opportunity to bring about liberation of our traditional acceptance of people, as individuals, not based on an arbitrary factor, such as race, gender, life style, translated into our business, religious and cultural practices.

I'm idealistic enough to believe that our movement has a great deal to give to the world, but we must endeavor to eliminate any factors that divide us. In a hostile world, we must learn to see ourselves as family, old, young, all races, both sexes, as attractive, not disattractive, leather, drag, strong, weak.

The manner in which we relate to each other in our meeting places, will largely dictate how close a family we are. We must pull together. We must end these divisive, improper, illegal practices and get on to the business of human liberty.

The Alice B. Tokles Lesbian/Gay Democratic Club is prepared to go together with the BWMT, Tavern Guild, other groups, to tackle this issue head on. Together we can resolve it, hopefully, through arbitration, if necessary,
through boycott. The sooner, the better.

Thank you.

CHAIRPERSON LYON: Thank you.

Are there any questions for Mr. Stallings?

MR. STALLINGS: Thank you.

CHAIRPERSON LYON: Next.

MS. WINNOW: Howard Wallace of Lesbian/Gay

Labor Alliance.

MR. WALLACE: Good afternoon, Commissioners.

We appreciate being allowed to be represented
here today, and hope that this forum will be useful to air
the problem in our community, although I must at the outset
suggest some reservations about what can be done beyond that
in this forum.

Our experience, as an organization, is still
young. We are a new organization, made up of Lesbian and
Gay Trade Unionists throughout the Bay Area.

But our experience as Trade Unionists, and as
workers, has been that you get response when you provide
some political muscle and social muscle. So, while hearings
are good, we hope this Commission has some authority to move
ahead and show some moral leadership, and help to correct
what is obviously a serious problem.

I have been active in this community for quite
a number of years. And my experience has been that the
problem is correct when direct action is taken. A few years
ago, there was a bar called The Mine Shaft, which
discriminated against people at the door. And we reasoned
with them and appealed to them and begged them to change
their policies.

They discriminated against women, against people
of color, people who were engaged in cross-dressing. And
the only thing that brought them along was mass picketing.
And I think that may end in that -- maybe the ultimate
solution here. I would say the time is running out in
terms of solution.

The problem has existed for far too many years.
People have the empirical observation of white faces behind
bars and white faces in businesses, and you have trouble
proving that there is discrimination.

I think we will prove that best by eliciting
special cases. We need, and the Labor Alliance intends to
help to gather up people holding out access to these jobs,
when there is a job opportunity developing.

We have also conferred with Local Two, which
is some 16,000 members, the bulk of which are women and
minorities, and they are willing to help us find people who
are qualified.

There are plenty of qualified and unemployed
bartenders of color. And that union is made up very heavily
of Lesbian and Gay people. So, we intend to help find the
people who can apply for the jobs.

That is part of what will be necessary in
establishing cases, so we can definitively prove case-by-
case acts of discrimination. But it is quite obvious that
discrimination exists.
I would just call to your attention, to a front-page feature article, last year -- I believe it was in the Centinel -- that was a direct attack on the Black and White Men Together report.

I think it is very hard to attack that report any other way than this writer did. This writer came out with an out and out defense of racism. It was the only feature article on the whole subject to occur in that newspaper. And it, more or less, suggested that the Gay community wanted white honkiss behind the bar. And that is part of the nature of the things, in fact, of life and so on.

There was no counter-article. It was a front-page article in the paper, and that was it.

I saw a few letters to the editor protesting it, and that was all of it that I saw, of the discussion on that issue.

First of all, I don't believe that the community does support racism. I think those businesses who have gone along with it or accepted defacto racism are going along with the old boy network and just shown a failure in leadership to correct a problem, will be in for a surprise when they see the community mobilize around the issue.

It was felt by some businesses in the last year that the community didn't hear about the wage levels or the job rights of the people on the job, and we demonstrated in recent months that was not true, by emptying those places, for a picket line, and we will empty them, I think
that will be the way to correct the problem ultimately.

Another thing, we are all consumers. Not only can we -- do we have the power to punish a place that discriminates; but we have the power to report a place that shows it won't discriminate.

I think Black and White Men Together has been extremely reasonable, and the task force in racism, and extremely mild in their approach, and suggest that enlightened Gay people and Lesbian business people come forward and show some leadership on this issue. Especially those employers that have quite a number of employees in their places.

And this is an opportunity to make themselves heroes in the community, because we will go out of our way to patronize places that show they are interested in advancing nonwhite people in the community, and showing and making ourselves an example, a model of human rights in the community, since we are already a model as a Gay mecca, we might as well be a model of human rights mecca.

And that's what our community should stand for. But I'm afraid, and I don't place my hopes so high, since this evening, Golden Gate Business Association has seen fit to just point out that they haven't had any particular complaints.

I don't think we should be sitting around and waiting for complaints. I think we should go out and affirmatively seek out ways of correcting this problem. I wouldn't stick it to, necessarily, to just Golden Gate Business Association. I think the Tavern Guild
has been more remiss in this case, because it is the most visible center of the community, are Gay and Lesbian bars. They are to us, in many ways, what churches are to the black community. When in the black community, when certain preachers didn't respond to the call that we have a movement in our hands, we were ready to move in unison and confront the white society, then some black preachers were shunted aside by the black movement.

I happen to know because I worked in the movement in the past. And they found leadership would respond and would lead, and I think we will do the same thing in the Lesbian and Gay community.

We patronize these places. They make a lot of money at our disposal. They are cashing in on the fact that we have turned a ghetto into a community, a ghetto we didn't choose, but we are here. We have turned it into a positive thing, instead of a purely negative thing. And we are entitled to a slice of it -- a part of the action. Not just some of it, not just a few penafiores. I think it's the time for business people to join us and we will work with them in a cooperative way.

We don't seek confrontation, but I think the time is running out, and we, as Trade Union members, who are active in pushing in the labor movements, are not going to turn our heads and only push in the labor movement to show leadership.

If the labor movement can show leadership, then it's time for the businesses in the city to show leadership.
And we would help to patronize, make your places economic
success stories, if you show leadership.

But those that drag their feet, I think, will
eventually be targeted for action, and we will make models
of -- we'll demonstrate what the community can do when they
provide some leadership. And when they present only white
faces behind the bar, and only white faces in the restaurant,
especially those large employers, should either show some
leadership, respond in some positive way, or get out of the
way, because here we come.

And I think we are going to become more
united in the community on this issue.

Thank you.

CHAIRPERSON LYON: Thank you, Howard.

Just a moment.

Commissioner Sevilla, I have a question. Are
there any bars that are part of the Local Two, Gay bars and
restaurants?

MR. WALLACE: So far as I know, there are no
bars that cater predominantly to Lesbian and Gay men that
are Union, that I know of.

COM. SEVILLA: Thank you.

MR. WALLACE: There are some that are somewhat
mixed, but in terms of predominancy, I don't know of any.

COM. SEVILLA: In those cases, perhaps, is the
ethnic balance, is that visible or is that a problem, also,
in Union bars that you know of?

MR. WALLACE: Well, I don't think it's a problem
in Union bars, because the Union is so heavily rated in terms of third world people. I mean the vast majority of the Union.

COM-SEVILLA: Does the Union go beyond policy or do they actually provide either disciplinary or some other sort of action towards a member organization that doesn't, in fact, uphold nondiscriminatory hiring practices?

What role does the Union have?

MR. WALLACE: I can't speak for the Union, but I've talked to one of the organizers for Local Two recently. And over the years, there was pressure of minorities on the Union, so that they were forced by Federal laws and by court cases to go out of their way to provide as many affirmative job opportunities for third world people.

So, I think it might have been several years ago, might have been a problem with the Union.

Now, bartenders, I think, the old bartenders of the Union were predominantly white. And I think, since the Union merged all of the various classifications over the years, that started to change. The bartenders, as a group, may still be predominantly white. But I'm not sure. But I know the leadership of the Union is very concerned with advancing the rights of the minorities.

First of all, they care about it in principle. But, secondly, they have to answer to an entire membership, over 16,000 people, which are predominantly third world and women. So that plays a very major role, and they are very anxious to help out on this question any way they can.
COM. SEVILLA: Would you say the problem still exists within those Union shops?

MR. WALLACE: I don't know. I haven't researched them. But I will say this, I'm not at all defensive. If there are places that are Union places, that discriminate, I'm not against dealing with them. I don't think that is a problem. If it is brought to my attention by the members of Local Two, I will be happy to help on that.

COM. MOULTON: Yes, again, it's just a comment. I find it very difficult to be calling it one, you know, we talk about racism, but my comment is that years ago in Colorado, we boycotted Coors --

COM. SOLER: Years ago?

COM. MOULTON: Let me finish.

We boycotted Coors, because in Colorado, the town that was 90 percent Mexican, there were no Mexicans, you know, hired. Okay?

There was a racial issue. It was strictly a racial issue, and that's what we were dealing with. That's what it was all about.

That's why a lot of us went to Colorado, you know, as we could, to fight this issue.

Now, a couple of years ago, up jumps Coors again, and we say, "All right, what's with Coors?" You say Coors is having a problem with the Union and it has to do with wage scale. I say, well, this is a labor issue, not racial, you know.

You have to be very careful, you know, when we
talk about the two. And I don't think that we're talking about, at this point, a labor issue, but we are talking about a racial issue, but not going out to labor.

But not that labor first and racial second, that's my understanding of what I am hearing, that we are talking about Gay and Lesbians that happen to be black or brown or yellow, like we used to call them. Now, we are all Asians, and I have no problem, because we used to be Spics. Now we are Mexican Americans.

MR. WALLACE: Our concern as an organization is principally problems confronting employment and job problems confronting Lesbians and Gay men.

We see unionization as one remedy, one direction for some of those problems. It's not a remedy for all problems.

We do feel direct action and political action as another remedy for some of the other problems. But we are concerned about the basic rights -- employment rights, employment opportunities for Lesbians and Gay men.

We are especially interested in going out in the world and fighting for the human rights for the broader community, non-Gay community, and have to know that we have some pervasive inequalities in our own communities, at the same time.

We want a remedy to those inequalities. We think it's a counter-tradition.

People were laughing about the Coors comment because I'm also coordinator for the Coors boycott. I'm
being sued by them. But insofar as remedying any problems, it was, again, a mass action that brought about the solution.

COM.SOLER: You have expressed a healthy skepticism about these hearings and what might follow.

What I would like to have is some very specific recommendation about what you have to do, about what you would like to see, of the hearings?

MR. WALLACE: I think we need to, specifically, sit down after we assess the unifying themes, that seem to come out of these hearings, sit down and discuss applications, because every business that discriminates or mistreats their existing employees, have all sorts of excuses as to why they can't hire more minorities, or why they can't treat the people they already have more decently, and so on.

The York Hotel, which is a Gay-owned hotel, and caters predominantly to Gay people, a few years ago, had minorities, but they went out and hired some Cuban refugees and fired all their Gay employees, with no recourse to do anything. And they were mostly minority, mostly black, and hired Cuban refugees for even lower wages, and violated all sorts of labor laws. And they had nothing to protect them and very few people to defend them.

Unfortunately, the Gay press did not highlight it too much. I think we need to have avenues of remedies and I don't see it that clearly.

I'm not sure what this Commission can do, what powers it has, to help us correct the situation. I'm very pleased that you are offering your good offices for us to
discuss our complaints. I think the Black and White Men Together are to be commended for taking the initiative on the thing, and keeping it on the front burner. And I think we need to keep it on the front burner in the community, until we have some resolution of the thing.

But I think the discussions will always exist until we have more applicants, and I am willing to help in seeking out the applicants for these jobs, and following it out.

Also, in businesses in the non-Gay community where you face discrimination over the years, besides mass action, an effective tool has turned a lot of heads and gotten some action, has been lawsuits, some lawsuits against some very big corporations has gotten very fast action.

I would urge people to do something to consider that route as a minority people. Or, a combination of all the exposure, as is happening here this evening, mass action with a picket line, and lawsuits. That will cause a few heads to turn. It will have sobering effect on some businesses.

COM. WADE: I believe you are the third person who mentioned that the Gay press has not highlighted this issue, and with all these elusions to the lack of coverage by the Gay press, could you address that problem?

MR. WALLACE: I don't want to make a wholesale charge, because some papers are better and worse than others. The one I cited, the front-page article, especially appalled me, but I think part of the problem is that they have
advertisers that they are somewhat beholden to -- in some cases, selfishly beholden to, and in other cases, somewhat beholden to. And the advertisers are the very people we are talking about who do the hiring, or don't do the hiring. So, even if they like to maintain an element of independence, even the most conscientious editor of a Gay newspaper -- and I'm not going to name any this evening, because I would have to comb my mind on this question -- even the most conscientious are likely to look over their shoulder a little, and wonder how this might affect the perception of their advertisers.

There is an anti-business movement, as I have tried to explain to business people. And I spoke to the Tavern Guild about some employment problems, a number of years ago. And, as I said earlier, the business that took the lead on something like this, I think would be tremendously respected and admired in the community. It would be very good for the business.

We're not trying to put them out of business.

COM. WADE: Wouldn't you say that same principle might apply with papers that might be willing to speak about the issue, that perhaps those papers could be aware more advertising?

MR. WALLACE: I think so.

COM. WADE: I think that would be one avenue to pursue, because, obviously, the voice of the people is not speaking out on the issue. That is one way --

MR. WALLACE: Yes.
I think we have to recognize we are not entirely dependent on one individual paper, but all the papers, collectively. I think we can seek avenues of getting our points across more effectively in those newspapers that will cover them. We will not necessarily depend on them, the good organization.

COM. WADE: I want to underline, as a special concern, and is worth a try. It is not a secret that the media, in general, has raised this. I think your campaign to clean up the Lesbian and Gay media would be worth, also, taking on the media.

MR. WALLACE: I agree. It is certainly a sticky and controversial question, but I agree with you completely about it.

CHAIRPERSON LYON: Commissioner Chung?

COM. CHUNG: I guess you are representing the Trade Union, which is part of the Union?

MR. WALLACE: I represent an organization that is made up mostly of Lesbian and Gay Trade Unions, although we have some non-Union members.

COM. CHUNG: I haven't got the correct answer from the other gentleman, previously, stated. But I asked how many of the Gay or Lesbian restaurants there are in the city. Could you tell how many there would be?

MR. WALLACE: It depends on how you define that. I think in terms of those places that cater heavily to mostly Gay or Lesbian crowds, it may be 200, 250.

Actually, Mr. Lazere, our representative of the
Tavern Guild would be in a better position to say so on it. I think there would be a whole array of others, but are standard, that don't necessarily cater to just our community. That would seemingly be a large number to some, but a small number to others.

All I can say, is that the majority -- and this I think, can be proved very easily. But I didn't come loaded with statistics tonight. The majority do a very nice business.

I'll give as an example -- and I could give a dozen examples -- but a place that just went from a straight bar, around the corner from me, near Church and Market, a few months ago, had a few, seemed like the same few straggling in it. And a month and a half later, went from that small clientele -- and I was always puzzled how that place kept going and remained in business, because it seemed like so few people.

That place is packed now, nightly. Packed. In other words, there is a guaranteed clientele for most of the Gay businesses. Absolutely guaranteed. It's money in the bank, as soon as they open the door.

And I think everybody in the community should benefit from that in some way, because that's our money in the bank. We put it in the bank. And people of Asian background, or native American, or black or Latino, should not be helping to put that money in, and not being beneficiaries in any way.

This place is doing very well, and it is not
going to hurt them to recognize the rights of workers in the community.

COM. CHUNG: You say there are 250 in the city? How many employees do you think they hire?

MR. WALLACE: Two hundred and fifty, I guess it would be under 1,000.

CHAIRPERSON LYON: When you say "250," are you talking about Gay bars?

MR. WALLACE: I'm thinking about dominantly, bars and restaurants. Other businesses haven't really given that much attention to it.

COM. CHUNG: Do you have any assessment of how many those 250 is represented by the nonwhite or colored people, or third world?

MR. WALLACE: Of the work force?

COM. CHUNG: Yes.

MR. WALLACE: Presently working -- I think Black and White Men Together report fairly accurately. I haven't done a special study of my own. But it strikes me as quite accurate.

I am depending on this empirical observation in conversation with others.

COM. SOLER: Just to answer Commissioner Chung's question earlier, we had gotten, I believe, from Jackie Winnow, the survey return information, basically saying there are 275 businesses were surveyed.

MS. WINNOW: Yes.
COM. SOLER: Maybe at some point, we could find out how you got those 275 businesses, because I think that will address some of the questions Mr. Commissioner Chung raised.

MR. WALLACE: Since you are raising this thing with numbers, it seems to me there are a number that aren't organized in any kind of Guild or organization, but the bulk came to the Tavern Guild or Golden Gate Business Association.

That's why I called upon those organizations to show a little more leadership, and I don't think they need to be defensive.

If the leadership of those organizations have problems with their own membership, they can deal with that and start arguing it out right now, in their membership.

In 1983, it's too late, and right after we have initiated into law -- even Ronald Reagan signed -- a holiday commemorating Martin Luther King Day -- to be talking about racism in our community. But it's here.

And I think, as I say, the theme of this whole motion is developing right now, should be "Time is running out, do it, do it, do it. Let people fill in the blanks with their imagination."

But I will tell you, it will be a rather fierce fight if something isn't done about it.

CHAIRPERSON LYON: Thank you.

Jackie, in light of what Commissioner Soler said, do you want to address that issue, and also mention the fact
that we haven't gotten very many returns?

   MS. WINNOW: How we got it was, I looked through various Gay publications, like Bathhouse Guide, Gay directories, Gay yellow pages, and got the information on the businesses, with help from certain organizations and certain lists that we had. It was not easy to get the information, and a lot of people who are members of the Golden Gate business Associates, don't necessarily have to be Lesbian or Gay, so it would be almost an impossibility I think, to know how many businesses in San Franciscso are owned by Lesbians and Gay men.

   We did send out work force surveys to 275 businesses, but only 13 or 4.7 percent of those businesses returned those surveys. So, it was impossible for us to present statistical breakdowns and give the legitimate statistical analysis on the work force diversity of Lesbians and Gays.

   Ninety-seven were sent to bars, with four returned. Thirty-one to restaurants with one returned. Thirty-two were sent to night clubs, Caberets, with none returned. Thirty-five sent to hotels with None returned. Eight were sent to gyms with none returned. Nine were sent to Bathhouses, none returned.

   One hundred and two were sent to general businesses, such as banks, newspapers, general businesses, et cetera, with eight returned.

   And it was just impossible for us to come up with something that would be legitimate, so we have not
done so. We are hoping that we will get more of those work
force surveys returned to us.

    COM. SOLER: When did you send them out?

    MS. WINNOW: On October 5th or 6th.

    COM. SOLER: Thank you.

    COM. CHUNG: The reason I am particularly
interested in it, in order to find the extent to which there
was certain discrimination existing within the community,
we must know what percentage of the Gay bar, or Gay
restaurant employee consist of minority people. Otherwise,
without that statistic, I don't think we can go strongly.

    Maybe this meeting, entire meetings, will be
just a talking and getting nonpositive results out of it.
That is why I am concerned about it. In case anybody here
has some suggestions, as to numbers, please come to us and
tell us something.

    CHAIRPERSON LYON: Commissioner Moulton?

    COM. MOULTON: Yes, I would like to see some
statistics from the Gay and Lesbian bars that are owned by
straight people.

    I would like to see that, to see where that
connection of racism, you know, flows, so we will have a
better grip on it. Because I've dealt with racism in the
Gay community years ago and you know, to be able to say
that, you know, it flows on both ends. You know, it's like
a -- what are those things in the water that go, like, they
have all the --

    COM SOLER: Barracudas?
CHAIRPERSON LYON: Well, I think we do certainly have -- sounds as if we have gotten so hung up on statistics, we certainly do have the information on 99 Gay bars, and so on, which, you know, does show a great scarcity of third world people, observed, and certainly there is no problem with us trying to get additional information, as time goes on.

I don't think that really makes these hearings useless.

COM. JUNG: If we need more information, we will go about getting it later.

COM. SEVILLA: I just want to comment that I don't think it's the intention of this Commission, and particularly myself, to be pointing fingers at any individual or organization, bar, restaurant or business establishment in the community.

I'm not really too concerned who owns it. What I want to see is a particular practice, if it exists, and I think we are seeing good evidence that it does, statistically or not. And that we, as a community, look to that issue, address it as one of our concerns, figure out ways to solve it.

As to whether who does or doesn't, that isn't my particular role of trying to figure out who is doing it and trying to figure out some ways of forcing them into the role of complying, either. The community will do that on their own, however way they choose to.

But the role of the Commission is to air the
issue and let other people in the community decide what kind of things can take place after that. I hope we can come up with constructive recommendations to address the problem. But I'm not looking to point the fingers.

I think the issue is pretty well wide-spread within and without the Gay community. And I think we are getting a lot to look at, more particularly.

COM. SOLER: I would like to say, we did say we would take a break. And I also feel there are a number of people who are out here who want to testify, and I think we can have some of these conversations amongst ourselves, and I hope we don't cut off some of the people that are here by addressing issues that we can take up by ourselves.

MS. WINNOW: Excuse me, there are two people who have to testify before we take the break. Otherwise, they have to leave. And their testimony is important.

COM. MOULTON: Real fast -- that the straight Chicano community is concerned about racism, you know, and that we don't care where it is, what community it's in, we just want to see that it is wiped out.

COM. SOLER: We all do.

CHAIRPERSON LYON: Can we call, then, the next person?

MS. WINNOW: Arthur Lazere, from Golden Gate Business Association, and then Billy Jones will speak.

MR. LAZERE: My name is Arthur Lazere. I am a past President of the Golden Gate Business Association, and finishing my second year on the Board of Directors of
the Golden Gate Business Association, after which I am
retiring.

I have been asked to speak for the Golden Gate
Business Association tonight. I have provided you with some
written testimony.

Before I address that, in view of some of the
earlier discussions this evening, let me give you a little
bit of background about our organization, because numbers
seem to be one of the issues tonight.

We have, at this time, approximately, 755 members,
which I suspect may make us the largest Lesbian and Gay
organization in town. Our members are both Lesbian, Gay
and non-Gay. We have a fair minority of non-Gay businesses,
including some major downtown corporations.

Our members include blacks, Asians, Latinos,
and a few minorities of women as well.

I also have the question asked about statistics,
how many Gay businesses are in town, how many Gay businesses
in the GGBA? And I couldn't give the answer to either of
these. We are the only minority in the country today, not
getting free demographics from the United States sensus.
And many is the time in my position in the community, when
I would love to have some data to use.

Indeed, GGBA and its effort to improve the Lesbian/
Gay community, often wishes to know how many businesses in
there are Lesbian/Gay businesses, that are participating
in what we are doing.

Our figure of 15 percent of our population of
San Francisco is the widely used estimate of what the Gay population is. I would assume a similar percentage of all businesses are Lesbian and Gay. Major corporations tend not to be Lesbian or Gay identified, although many of them have been very supportive, I might add.

One further business about the makeup of our membership that we have, and I took a look in our directory to double-check this, about a dozen bars that are men bars are within the jurisdiction of the San Francisco Human Rights Commission.

I should point out, we are a Bay Area-wide organization, so some of our membership are not from San Francisco.

We have women bars that are members, but it is just about a dozen. And there is some overlap among that dozen with the Tavern Guild, but frequently the bars that belong to our group do not belong to the Tavern Guild.

So, the vast majority are over at the Tavern Guild. In July of 1980, the Board of Directors of the Golden Gate Business Association, approved for submission, for a vote of our members, a code of business conduct and ethics. In August of 1980, this was mailed out to all of our members, and upon approval by 99 percent of those voting, the membership adopted this code.

The code continues in force at the current date. The code includes, among things that are not relevant to our discussion here tonight, the following statement:

"A member will not discriminate in employment,
or otherwise, based on race, religion, age, sex, or sexual preference."

GGBA has never received a complaint of discriminatory practice by a member business. No one has ever come to us and said one of our member businesses is discriminating and registered a complaint with us.

We have, from time to time, received other types of complaints, so it is not as if a complaint possibility did not exist. Typically, the kind of complaints we get are when one of our member businesses pays a bill and there is a dispute with a supplier, something like that. The sort of thing that the Chamber of Commerce or the Better Business Bureau might get involved with.

We have a standing ethics committee, which reviews some complaints and reports to our Board of Directors, when some complaints are made. So, there is a mechanism in place to deal with such complaints.

The Code of Ethics is included in its entirety and GGBA membership, and a copy was provided to each Commissioner tonight. In this way, the policy is disseminated to all new and prospective members, ever since the date it was adopted by all the members, several years back.

GGBA's Code of Ethics, also, I made add, was used as a model by the National Association of Business Accounts, which is the national Lesbian/Gay business and professional organization which GGBA was a founding member, and still remains the largest, probably the most influential national association, and adopted a Code of Ethics similar.
As a matter of fact, when I took the GGBA Code of Ethics to the national organization as a model for them to use, there was this line -- the nondiscrimination line -- that the first go around, got watered down, which indicated to the GGBA Board of Directors and Board of Membership, we're somewhat of a more progressive entity than the National Lesbian and Gay Business Council,

But in order to get something passed, we had to delete that statement of the Code about discrimination. Since that time, our national organization has been in discussions with the National Association of Black and White Men Together. I have done a good deal of talking with Charles Stewart, who is the former co-Chair, indeed, I saw at our convention in Los Angeles, this year.

Our national organization, again, which GGBA is part of, has a committee on racism. This committee has been functioning for over six months. It has developed a series of talking agendas for our membership and is looking at various possible things we can do to try to take leadership in this area.

Our local Lesbian and Gay business groups around has also used our Code. I think we are clear on the record, as saying discrimination is not acceptable. I think it is also for the community to know that the GGBA organization is not one particularly in a strong position to enforce any behavior amongst its members.

We are a voluntary organization, and indeed, I would say our members tend to be very concerned about their
relationship with the organization, itself, and freedom to run their businesses.

With reference to our organization, the Board of Directors, I suspect is somewhat more progressive than the overall membership. And I would like find methodologies of dealing with these problems, and leadership methods to remove discriminatory practices.

I, personally, would say, of course, discriminatory practices exist out there. I think we also have a great many members of good will who have worked on this problem, and are working on this problem, and will continue to work on this problem.

CHAIRPERSON LYON: Commissioner Soler?

COM. SOLER: you mentioned that the Code was adopted in 1980 by the Board of Directors?

MR. LAZERE: No -- Yes. Well, it was approved by the Board, submitted to the full membership for the Board --

COM. SOLER: Let me ask you this question: How many members do you have on your Board?

MR. LAZERE: In 1980 there were 11, and there are 11 now.

COM. SOLER: Out of those 11, how many are minorites?

MR. LAZERE: None.

COM. SOLER: Then I would like to submit to you that one of the first places that you can serve is on your Board of Directors.
MR. LAZERE: I couldn't agree with you more.

COM. SOLER: Let's do that. We can do that tomorrow. When is the next election?

MR. LAZERE: We have nominations next month. It would personally please me, to no end, if one of our members, who was a person of color, or minority person, got their name into nomination. One could not guarantee their election, but I would be delighted to see that happen.

Indeed, our Board reached out, in particular, looking to this, to one of our membership, and urged him to run for the Board. He is committed otherwise.

And, typically, is of the case with people in leadership.

COM. SOLER: I think I am saying if the membership of Golden Gate, who initiated the policy, does not have representatives from a variety of minorities of the community -- women as well -- I think it's not unusual that you haven't received any complaints, because if your Board, which is seen as an entity that can enforce the Code, does not represent a variety of the community, you are not going to get complaints.

So, I am not particularly concerned that you, as a body, has not received it, and I think you need to make a recommendation, you need a lot of outreach on the Board.

MR. LAZERE: I think that is a fine suggestion. I would like to point out, GGBA -- and there were no women on the Board, and we said, "Well, we do not discriminate," and we did an outreach, and we received a substantial
membership of women, and on the Board of Directors. And it looks like our next President will be a woman, for the next time. So, progress does happen.

CHAIRPERSON LYON: Esta says you have a lot of work to do.

COM SEVILLA: I would like to know what prompted the Board's decision in 1980 to take on that particular policy, would in its bylaws or structures?

MR. LAZERE: To adopt a Code of Ethics?

COM. SEVILLA: Right.

MR. LAZERE: I did.

COM. SEVILLA: What was the motivation behind it?

MR. LAZERE: Comes to -- now, get into the history of the organization.

When I became President of GGBA in 1979, one of the first things I did was to establish an ethics committee and ask them to develop a Code of Ethics for us.

One didn't exist. Seems to me, in the past, GGBA had been largely a social organization and the process we went through largely in 1979 and '80 was professionalizing the organization in that situation.

It seems to me we had to do more than simply reflect the existing membership, that we had to do some leadership and some education of our own membership, and a Code of Ethics was a logical approach to do that.

COM. SEVILLA: Since the adoption of that particular policy, if you had forums, or discussion among
the membership, since that at meetings or in any session.

Then, perhaps, you can tell me about that?

MR. LAZERE: On the Code of Ethics?

COM. SEVILLA: On the issue of hiring practices, nondiscrimination, has come up at meetings, have there been presentations on how to recruit minorities, to bring in qualified applicants, but your membership could --

MR. LAZERE: The first time that this became a subject for the Board of Directors was when Black and White Men Together approached it, and we received Mike Smith, who made a presentation to our Board, largely on the Sunday that resulted in these hearings.

COM. SEVILLA: Is it fair to assume that you basically adopted a policy on good will and --

MR. LAZERE: And disseminated the policy.

COM. SEVILLA: And disseminated the policy, but since that time, you haven't actually discussed that policy as a topic for your agenda, or ways in which to implement that policy?

I mean you clearly understand you can't force your members to abide by that policy, but have you discussed or you really haven't, since the time you implemented that policy?

MR. LAZERE: No.

CHAIRPERSON LYON: You mentioned, Arthur, a committee on racism, Is that the national organization?

MR. LAZERE: It's the national organization.

CHAIRPERSON LYON: But you don't have a comparable
committee within GGBA here?

MR. LAZERE: No.

CHAIRPERSON LYON: What do you do about the
outreach for new members? Is there any kind of policy for
that?

MR. LAZERE: There is no policy.

CHAIRPERSON LYON: No approach to outreach?

MR. LAZERE: No, we take our members wherever
we can get them and all are welcome.

CHAIRPERSON LYON: No other questions?

Thank you.

MR. LAZERE: Thank you.

MS. WINNOW: One more person before we break,
and his name is Billy S. Jones, and he is representing Bay
Area Black Lesbian and Gays, the National Coalition of Black
Gays.

MR. JONES: I think in fairness, I should also
acknowledge there is another bias, in terms of, I am also
the International Co-Chair of Black and White Men Together.

So, I've been an active part of this particular
project. So, there's clearly some emotional reasons, as
I present my testimony.

The National Coalition of Black Gays, and the
Bay Area Black Lesbians and Gays is one of observance.
For these here, are not so much for us as those who are not
here, or about us. At least, that is what we presume, and
what logic tells us should be.

As a spokesperson for NCBG, and a Gay black,
I have been in the civil rights movement and struggles for blacks, since the 1950's. I, like every black man and woman, have experienced racism every day of my 41 years of being. In a country which boasts of freedom and opportunities, for all, in cities which display equal opportunity announcements, and in corporations and agencies which announce affirmative action programs, we who are black know that institutionalized racism will allow very few of us to obtain meaningful employment.

All of our lives, we have battled for equal educational opportunities, quality medical and nutritional care, decent and equitable housing and employment positions of dignity and integrity.

For some of us, blacks who happen also to be Lesbians and Gays, we would ideally like to work within the community, which is, itself, is a community because of historic discrimination and homophobic tax. That community being the Lesbian/Gay community. We have long ago given up the belief that a community created out of oppressions, of discriminations, especially employment discriminations, would provide equitable employment opportunities to all.

Such has not been the case. I am personally a 40's baby, and 50's activist, meaning I have been around a long time. It also means that I get very tired of fighting racism. In fact, I often say to people, I'm taking a moratorium and refuse to address the issue of racism.

As late as last Friday night, and as late as Sunday night, when I returned from the state of Wisconsin,
and in mid-day, today, I toured the businesses, the Gay
businesses, Page Street, Castro Street, Market Street, Polk
Street, Folsom Street, and the Tenderloin.

But you Commissioners who do not know where the
Gay community is, I will be happy to take you on a tour any
time. We often get very upset about the request for
statistics.

I am here tonight, because this is Human Rights
Commission, not a statistics Rights Commission.

What I found on my tour, keeping in mind as late
as Friday night, Sunday night and mid-day today, I got 143
employees that I identified in Lesbian/Gay businesses. Only
17 were visibly persons of color, and that is as late as
today.

But we who are blacks, Latins, Asians, and Native
Americans, and look like what we are, and act like what we
are, we see these hearings as a last step of dealing with
the System, to seriously confront and end discrimination.

These hearings for us native Americans, blacks,
Latins and Asians, and sensitive whites, these hearings are
a last hope and trust that the System just might work.

We interpret questions of statistics of the need
for more proof, and that hangs will be -- and our charges
will be decisive, and we must take time, and we need more
information. We see these as road blocks.

But dealings with the fact of persons of color,
blacks, Latins, Asians, and American Indians, are victims
of institutionalized racism.
It has been said many times by many activists, that racism is a white problem. In fact, I personally have sometimes argued against that. However, to the extent of ending institutionalizing racism and including people of color and the employment sector, people of color are powerless to make these changes.

Even if the Human Rights Commission may be somewhat powerless, but you can confirm the inclusions of the 15 organizations who have endorsed the White and Black Men Together findings.

The Human Rights Commission could join us who are here to say to the Lesbian/Gay businesses, "Cease the old boy/old girl network for hiring, advertise positions, so that all who qualify may apply. Document employment procedures and develop clear and reasonable job descriptions. Voluntarily implement affirmative action programs to hire persons of color in proportion to the statistics of the city."

It is very nice and very impressive that the Golden Gate Business Association has a nondiscriminatory policy and no complaints of racial discrimination have been found. I ask, and I challenge, what efforts have been made to inform racial minorities of that avenue of complaint?

And I bring to your attention that the issue for those of us who are members of the Bay Area Black Lesbian and Gays, and members of the National Coalition of Black Gays, as well as members of other minority organizations within the Lesbian/Gay community, the issue for us is one
of exhaustion. The issue is one of reality that racism does
exist in the Lesbian/Gay community and in spite of what
statistics may or may not say.

   Thank you.

   CHAIRPERSON LYON: Thank you.

   COM. MORRISSEY: I am interested in your last
evening stroll through these various areas and wonder
whether or not you could tell us what you observed as to
the ethnic or sexual -- by that I mean male or female --
among the patrons entered. You mentioned only 17 employees.

   I wonder what the patronage would be like, as
you observed it?

   MR. JONES: I think it's important to acknowledge
that when I said I toured the Lesbian/Gay businesses, what
I am speaking of is touring the establishments which have
a Lesbian/Gay clientele. And I, like you, would know it's
a Lesbian/Gay clientele, if you entered these premises at
night. That is, Sunday night and Friday night. These are
predominantly restaurants and bars.

   Of the persons, the 17 percent of color, all
of them are black except one Asian, that was visible. And
one Latino that was visible. They were all men.

   There is absolutely no way I could say in terms
of patrons, or in terms of employees, how many were Gay or
not Gay.

   COM. MORRISSEY: I don't know whether they are
Gay or non-Gay. What was the color? Were they white or
colored?
MR. JONES: What I am saying, all of the employees --

COM. MORRISSEY: I'm not talking about the employees. I'm talking about the patrons.

MR. JONES: The patrons, most of the establishments themselves, many of them tend to be incredibly lily-white -- pardon the expression.

There are some which are integrated. In fact, there are some known establishments that because of their environment, tend to drive persons of a particular color away.

For example, Busby tends to attract a larger number of Asians, that attend. Others tend to attract a larger number of blacks.

Now, that does not mean that a person of color does not go in that and another establishment. I happen to be one of those persons who will go out to many of the places, but there are many places I will not stay.

For example, I also entered an establishment on Folsom Street, and what confronted me was a rebel flag, which is very offensive to me. To me, that is a very blatant racist statement. When I entered the establishment, I received a racist attitude.

Now, I'm not likely to stay there, or not likely to return there, except as a protest. It is those types of symbols that confront us when we enter establishments, the type of vibrations we give, that we decide to stay or not stay.
COM SEVILLA: Some people have brought to my attention, their concern that these hearings would be
devisive, because we are looking at practices within the
Gay community, or not outside, or looking across the whole
industry, as opposed to a particular subcommunity of this
city.

What are your feelings about that?

MR. JONES: The point of my testimony was, I pointed out that the Lesbian/Gay community, as a community
exists, because of our struggle for our basic human and
civil rights.

It is a myth that we, ourselves, have cleaned up our own act, in terms of not discriminating against
others. And, therefore, incredibly, sensitive to the oppression of that, that others experience. We tend to be very sensitive to our oppression, and our discomfort and discrimination we experience.

It is my belief that we set the example for the main stream, society, as a whole. It is my belief that we should not wait for the mainstream society to get its act together. And I believe that the mainstream society can follow suit.

There's also the fear, I think, among many, that by us doing these hearings -- but eventually what that means is that many non-Gay individuals will probably seek employment in the Lesbian/Gay businesses. That will probably happen, but I'm the firm believer that one of the difficulties with homophobia and the oppressions we are
talking about is my personally interacting with persons who would otherwise I wouldn't have a chance to interact with. I personally am not paranoid of non-Gay persons applying for employment within the Lesbian/Gay community.

I happen to believe that probably, for the most part, those persons who apply for the positions in the Castro, Polk Street, and other parts of the Gay community would, therefore, have a level of comfort in working with us, anyway. If not; they'll be uncomfortable by the time they leave.

COM. SEVILLA: Thank you.

CHAIRPERSON LYON: Any other questions?

Thank you very much.

MR. JONES: Thank you.

CHAIRPERSON LYON: Okay. Let's take a break.

Could we be back in 13 minutes, at ten minutes to?

We will start again at ten to.

(7:37 p.m. - Recess was taken.)

(7:55 p.m. - proceedings resumed.)

CHAIRPERSON LYON: We are back in session.

The next speaker is?

MS. WINNOW: The next speaker is Jim Bonco from the Tavern Guild. Is Jim here?

MR. BONCO: Thank you very much.

The Tavern Guild was formed 20 years ago, and it is a very loose-knit organization of bars and restaurants of San Francisco, the Bay membership.

We have memberships of bars as far away as
Tokyo. It is a loose-knit organization. We don't regulate the hiring policies or the firing policies of our membership bars.

We do not regulate what type of liquor they should serve, what kind of beer they should or should not serve. We did, and were instrumental in the boycott of Adolph Coors, because we felt at the time they were discriminating against Gay people.

Our meetings are twice a month, on Tuesdays. And at that time, basically, we have guest speakers. We bring out information that is inherent to the food and beverage industry that is important to us, as our people, as bar owners, as waiters, as janitors, even belong to our organization. Our membership consists of approximately 300 members.

We have about 100 Gay bars in the Bay Area that are members of our organization.

I do believe that Mike has contacted us in 1982 on April 26th, by letter. I talked to him and Black and White Men Together addressed our organization in the fall of 1982, with regard to the discrimination of black and white men in the Gay bars in San Francisco.

At the time, the meeting was at a South Market bar. We talked. They made a presentation. We listened. There were no formal demands. Was very much information from us to them, from them to us.

That was the last time that I had talked to Mike or to the organization, since then.
I think that there is discrimination in Gay bars in San Francisco. I think there is discrimination in the straight bars in San Francisco.

I think that tonight, here this evening, it looks like we are only talking about the Gay bars, but I think it is a city-wide problem that we face here. I know that, as a Gay male, I certainly wouldn't, probably, get hired, if I went into a woman's bar on Valencia Street. There would be a reason they wouldn't hire me. I am a qualified bartender, for the last 20 years.

The Tavern Guild, in July of 1982 came forward with a statement of objectives, and basically followed the GGBA's statement. And one short sentence is:

"A member will not discriminate, employment or otherwise, based on race, religion, age, sex or sexual preference, as appropriate to our business needs."

We also talked about insurance and working hours, conditions and such, as they are only guidelines.

The guidelines are accepted by the membership, and the memberships receive a copy of it.

Again, our organization is a donated organization. Nobody really gets paid to do anything for the organization. So, we don't have the time or the energy to follow through with the policing of our memberships.

As far as employment goes, at the end of our newsletter, we list bartenders, or managers, or waiters who are unemployed and their phone numbers. We do have a brief form that we ask them to fill out, which, basically,
provides us with the information where they live and where they have worked in the past.

Nowhere on there does it say whether you are black or white or Hispanic or such.

Of the 300 members that we have, I would say approximately nine, maybe ten, are persons of color. And maybe another ten are other minorities. The rest are basically white males and very few females.

Any questions?

CHAIRPERSON LYON: Commissioner Moulton?

COM. MOULTON: Just something there at the end.

Something about "appropriate to your business."

MR. BONCO: Appropriate to the business?

COM. MOULTON: Yes.

CHAIRPERSON LYON: I think the discrimination --

COM. SOLER: Read that again.

MR. BONCO: I will start at the top. It's very short. It's a statement of objectives that was drawn together by six people in the middle of last year. It was similar to the GGBA statement. And it says:

"We, as members of the Tavern Guild of San Francisco, being charged with the responsibility for developing and conducting harmony, understanding, and confidence between those persons and businesses inherent in the food and alcoholic beverages industry, agree to the business conducts and ethics, a member will conduct of honest integrity and fairness" -- this is the one I read:

"A member will not discriminate in employment,
or otherwise, based on race, religion, age, sex, or
sexual preference, as appropriate to our business needs.
A member will be accountable to their employers, employees,
or customers, in making every reasonable effort to act as
their best interest or benefit. A member will support the
ideals and goals of this organization."

Page two is basically on wages, benefits.

COM. SOLER: I just wanted to hear that little
part again, because that, you know, is a part of the theory,
"Let them take our land."

CHAIRPERSON LYON: Could you explain more of
what that means, "appropriate to your business"?

MR. BONCO: "As appropriate to our business
needs."

COM. SEVILLA: Does that apply to all of the
qualifications, sex, race, sexual orientation?

MR. BONCO: Yes.

COM SEVILLA: Please explain.

MR. BONCO: The members of the Tavern Guild,
we do not discriminate whether you are male or female, whether
you are white, black, hispanic, whether you are old or young.

You have to be 21, obviously, to be in the
alcoholic industry. You can't be 18. To be a food waiter,
but you can't tend bar.

Our basic organization has 21 and over. That
is the only discrimination we have. You have to be 21 to
be a member of the Guild.

COM SEVILLA: If a Tavern member was predominantly
a white bar, most of its patrons were white, based on the
policy, could the owner of that bar construe that means by
hiring just white bartenders, as appropriate for the
operation of his business?

MR. BONCO: No, I don't believe so.

CHAIRPERSON LYON: It is really a strange phrase.

MR. BONCO: Again, I didn't write this.

In hiring a bartender, I think when you need
a bartender, it comes down to who you know. And I think
it is in the straight bars and in the Gay bars, especially
like bartenders or waiters. When you need a bartender, you
usually need a bartender that night. And we get phone calls
at 3:00 in the afternoon that say, "I need a bartender at
5:00." And --

COM SEVILLA: Would you say that bartenders know
people that are colored, that are capable of tending bar?

MR. BONCO: Yes.

COM. SEVILLA: Do you see the bar industry
different than most businesses, that you hire people that
are qualified for the position and do outreach and get
people to apply for the positions? What is the difference
in other job opportunities, where they go through job
searches and hiring practices, as opposed to the situation
which you describe, where you just pick people you know?

MR. BONCO: I don't think think there have been
an awful lot of people of color that have applied to a lot
of the places.

I know several bars knowing this meeting was
tonight, I guess, several people in the industry, and they said they have not had people come up and ask for an application.

COM.SEVILLA: Does your newsletter, when it goes off to people, is it only members who are of the Tavern Guild or can anybody put their name on it?

MR. BONCO: Anybody can put their name in.

COM. SEVILLA: Have you done any attempts, outside of the organization, perhaps use of the services of your newsletter to, perhaps, indicate there were openings and needs for the job?

MR. BONCO: Anybody can call us. We will put their name on it. And we run it for eight newsletters, two months.

At that time, if they wish to continue on the newsletter, they have to call back.

COM. SEVILLA: That is pretty well-known?

MR. BONCO: I think so.

They're usually out of a newsletter, maybe six to ten names and phone numbers that are listed.

COM SEVILLA: You indicated earlier that there is racism in the Gay bars in San Francisco?

MR. BONCO: I think there is some, yes.

COM. SEVILLA: What do you think might be the basis for it, and as an organization, what do you think of the things that you might be able to do to circumvent that in the future? Or do you think your organization has any power to deal with that issue, since, perhaps, these
discussion have taken place?

MR. BONCO: I really -- I don't know how we can, as the organization, come up with any valuable solution to it. I think there is a problem. But I honestly don't know how the Tavern Guild can, as the organization, tell, you know, tell the employers who to hire.

COM. SEVILLA: I am looking at the kinds of priorities by any business or organization of owners of businesses, have the opportunity to look at. If you prioritize a high problem -- or major problem within the Tavern Guild industry, whether the deferment of liquor or availability or location of distributors bringing it, or perhpas the political inappropriateness of using Coors Beers, or Russian Vodka. Tell me something about the prioritizing the issue of racial discrimination in hiring practices. Couldn't that be incorporated as an important issue for the organization, just as the other issues that are obviously important to your organization, and that obviously exist?

MR. BONCO: I think it is.

COM. SEVILLA: You haven't indicated anything is being done about it.

MR. BONCO: Our organization hasn't done anything about it. And I don't know what we can do, as the organization.

COM. SEVILLA: I think there are probably going to be a lot of discussions on what you can do.

MR. BONCO: That's fine.

COM. SEVILLA: The question is whether your
organization is willing to do something about the problem.

MR. BONCO: We are also an organization of
donating time, and such. That is always a problem. I mean,
99 percent of the --

COM.SEVILLA: That means people have to donate
their time and energies toward this problem.

MR. BONCO: Yes.

CHAIRPERSON LYON: Mr. Bonco, when you got most
of the Tavern Guild bars to stop serving Coors -- and I do
understand you can't tell them all what they are supposed
to do and make them do it, but you did manage to convince
the majority of the bars not to sell Coors. And more
recently, I think probably the majority of the bars are
going rid of --

MR. BONCO: Orange juice -- Anita Bryant.

CHAIRPERSON LYON: Yes. And that Russian Vodka.

MR. BONCO: Yes.

CHAIRPERSON LYON: It would seem to me the same
kind of pressure or enthusiasm or information giving around
the issue of discrimination and employment put forward by
the Tavern Guild, might also make some of your member
bars stop and think about their processes.

MR. BONCO: That is correct.

CHAIRPERSON LYON: I mean, if it is possible
for the organization to move as a whole, in a direction,
certainly around orange juice, beer and vodka, maybe people
could be included in that.

MR. BONCO: Yes.
Point well-taken, Yes.

CHAIRPERSON LYON: I'm sure there are other organizations that would be happy to help. And come-on programs, talk to the members, and also help to get together lists of third world people who are qualified to be bartenders and waiters, and so on and so forth, and to spread the word further, that your newsletter exists and, you know, I'm sure a lot of help could come in.

MR. BONCO: Our telephone answering service, as I said, we meet every two weeks. You can call 24 hours a day. It always tells you when the next meeting is and what time, and the street address and location.

The meeting is open to anybody that wishes to come. Anyone can put their name down as an unemployed person.

COM. SEVILLA: Another question:

I'm sure you talked to several bar owners, since this whole issue has come up, and the Commission is going to hold these hearings.

In your own estimation, or your own opinion, can you tell me, perhaps, what is the main motivation that would prevent a bar owner from, perhaps, hiring people of different color? You have probably heard both sides of the issue and arguments.

Can you think of anything? I mean, is it just old fashioned racism, or do you know more, beyond that, that has some legitimacy, why a bar owner wouldn't want to hire people of color, that are black?
MR. BONCO: No. I really think when they need a bartender, it is being in the right place, and knowing somebody. It's a family-knit circle in many of the bars. The bartender on duty says, "Gee, I got a friend that was working in another bar down the street, and he's unemployed. You need a bartender, can he come in and talk?"

I think that is one problem. Probably, as a bar owner, when you interview somebody, you look at the person and you see what his capabilities are, how his presentation is. I would certainly like to see if his fingernails are clean, whether he comes across as an intelligent person that can carry on a conversation. Would you leave him with a couple of hundred dollars in your register, and walk out and go have a dinner and come back, and know, feel confident, that he can handle the situation?

I don't think the matter of color is that heavy in the bars.

COM. SEVILLA: Would you say there are probably no one that you know of that would willingly discriminate against someone because of their color?

MR. BONCO: I would say that there are probably some bar people that would.

COM. SEVILLA: I would venture --

MR. BONCO: Just like women bars would not hire a man.

COM. SEVILLA: Well, I think that is another discussion.

CHAIRPERSON LYON: You can turn that around.
You don't see many women bartenders tending in the Gay bars.

MR. BONCO: That's true.

COM SEVILLA: Some people say if you are predominantly white bar -- no, many in the city where the clientele is primarily white, you hire people of color behind that bar, that is going to have an impact on the clientele, there will be a shift in the clientele.

Have you heard of anything like that?

Do you subscribe to that notion?

MR. BONCO: I don't believe so. I think if a person can handle himself behind the bar, the question of whether they are black or a third world or what, if they do a good job, they should be employed.

If you brought in a black bartender that you would start getting a black crowd, no.

COM. SEVILLA: That could happen; couldn't it?

MR. BONCO: Some people may think so, yes.

COM. SEVILLA: Thank you.

MR. BONCO: Thank you.

CHAIRPERSON LYON: Commissioner Jung?

COM. JUNG: I guess the Gay community, as I know, understand better minority positions and they have, I guess, political loyalty, as far as politics is concerned.

I want to ask you, in that line, how can Gay communities set, as an example, trulyGay community, do not discriminate against minority race?

MR. BONCO: How can we set the example of nondiscrimination?
COM. JUNG: Right. Right. How can you implement this thing?

MR. BONCO: I think that would take a meeting of the bar owners.

COM. JUNG: I see.

MR. BONCO: I don't think -- The Tavern Guild can put it in the newsletter, or whatever, but it has to be on a one-to-one basis with the other bars, bars and restaurants.

COM. SEVILLA: Can I ask you a question about that?

We know a lot of bartenders didn't respond, not just bartenders, but businesses didn't respond to our questionnaires.

Can you give me a sense of maybe why that happened? I mean, I was at the Tavern Guild, and I saw a lot of people, a lot of enthusiasm, when we passed out the forms, but we didn't receive the forms, didn't come back in great numbers.

MR. BONCO: Two or, maybe, three years ago, we did our survey amongst our own bars, requesting information as to how they felt the meetings would be held, how we can improve, what they would like, more guests, less guests, more politics. And we received 18 percent.

COM. SEVILLA: So, you are saying it's the task and not the context?

MR. BONCO: Yes. The people don't want to take the time. We don't want to give a postage-paid envelope.
They are more interested in the day-to-day business.

COM. SEVILLA: So, you don't see this issue as part of your day-to-day business?

MR. BONCO: Obviously.

COM. SOLES: I would like to say that we do more work to get people to receive surveys. I think most of us, in our own line of work, see two or three a week, and tend not to respond. And we need to respond, and I think your help to get those businesses to respond is absolutely essential. And I know you will let us --

MR. BONCO: Yes. At our last meeting, Jackie and Richard both attended the meeting and spoke before us. At any time, more speaking, more conversation, more dialogue between the Human Rights Commission and the Tavern Guild bars, I think, is necessary.

CHAIRPERSON LYON: I think it would be helpful, also, if in your next newsletter, you put in an item that asks those bar managers, and so on, who have not sent in the survey, if they could please do it. That would be real helpful.

MR. BONCO: If you would like, we can mail one out again.

I think our newsletter goes out in two weeks. By that time, it would be a month.

COM. SEVILLA: I think that would be a great help.

MR. BONCO: It would be a month late. I'm sure the people that didn't sent it, discarded it.
CHAIRPERSON LYON: You are probably right. One tends to lose things.

MR. BONCO: I will be glad to include it in the next letter.

COM. YAMAKAWA: As I understand it, I heard you say you select bartenders on the basis of looking across a table at one and seeing if they have clean fingernails, and whether you can trust them with a couple of hundred dollars.

What was the other think you mentioned?

MR. BONCO: What I mentioned, as a manager in a bar or restaurant, in deciding who I was going to hire, I would first off, look at their personality, how they are dressed. You won't go into a bar and order a drink and have a bartender mix a drink, and his fingernails are all dirty and unkempt. Then you have to have a personality. He has to be intelligent enough to carry on a conversation with the customers. And he has to be trustworthy enough to leave him with a couple hundred dollars, and go out to dinner and know everything was intact, and he wasn't giving the house away or pocketing the receipts.

COM. YAMAKAWA: Outside of the cleanliness of the fingernails, aren't some of the other things that you are talking about, subjective judgments that one makes about somebody else's looks off the top?

MR. BONCO: Yes.

COM. YAMAKAWA: Isn't it possible that biases of one person can affect the judgment of someone else, as
to being trusted with money, or as to their personality?

MR. BONCO: Yes. That's the judgment of
whomever is doing the hiring of the staff, I would say.

COM. YAMAKAWA: How, in fact, do you, when you
sit across the table, determine whether someone is
trustworthy with money?

MR. BONCO: I would look at their track record,
see where they have worked in the past, their length of
employment. As a manager, I have made phone calls to other
states when I found people that said they worked for five
years at a bar in Salt Lake, St. Louis, never heard of the
person, and you say "Thank you very much," but you know --

COM. YAMAKAWA: Since we're talking about an
area of underemployment and the fact that there are
possibly minority bartenders, who do not have as long a
track record, as you might wish, do you consider other
objective criteria of trustworthiness, besides they have
worked five years in another neighboring bar, down the
street? Or would you, as a person?

MR. BONCO: As a person?

COM. YAMAKAWA: Yes.

MR. BONCO: As a person, it would depend, I
would consider it, but again, in San Francisco, there are
so many Gay bars, and there are so many people looking for
work, that they don't even have to advertise in the
newspaper. It's strictly word of mouth.

Because, as soon as a bartender is let go,
usually several people, either customers or other employees
at the establishment, have a friend that is out of work, and that is how a lot of the hiring is done.

COM. SEVILLA: I have heard stories where that happens sometimes at these meetings. Because I have only gone once to a Tavern Guild meeting, that occasionally people get up and introduce someone who is looking for a job.

MR. BONCO: Yes.

COM. SEVILLA: The picture I got was some honky number gets up and introduces and says, "Here is so-and-so who is looking for a job."

Is that the typical practice?

MR. BONCO: Yeah, it's typical practice at the end of the meeting to introduce who he is. It's not like a meat rack, where we are putting them on display, but that is the inference I received. But we do introduce the person and we say "This is Jim Bonco, and he is looking for work. His phone number will be in the newsletter." And the next person, "This is so-and-so" you know.

And then at the next meeting -- and they usually stick around, or somebody is looking for work, or somebody is looking for employment, they will walk over and say,"I own this bar, would you like to stop by tomorrow and fill out an application, where you worked before?" on a one-to-one basis.

COM. SEVILLA: That is something people of color could easily attend -- your meetings -- and be introduced to others?
MR. BONCO: Yes. And you don't have to be a Tavern Guild member to get your name in the newsletter.

COM. SEVILLA: You don't have to be a Tavern Guild member to attend your meetings?

MR. BONCO: No.

The meetings are open, and they can call the listing in the phone book, 24 hours a day and they will be told where the next meeting is.

And it is on Tuesdays.

MR. JUNG: What kind of system do you have for hiring people?

MR. BONCO: The Tavern Guild doesn't have a bar. We are an organization.

I don't have a bar or restaurant.

COM. JUNG: I mean, the worker comes to you and you direct them to the company?

MR. BONCO: They come to our meeting, and we put the name and phone number down on the newsletter, our newsletter goes to the membership.

COM. JUNG: To the membership?

MR. BONCO: Yes.

COM. JUNG: What do the membership do?

MR. BONCO: If they need a bartender, they make a phone call, say, "I'm looking for a bartender. Do you want one to come down?" the name and phone number.

COM: JUNG: Do they put down the date they made the applications?

MR. BONCO: We don't have applications. We
just put down the name and phone number.

COM. JUNG: Why don't you take applications?
That's the way it's supposed to be done in business.

MR. BONCO: We are not hiring. We are not
in employment --

COM. JUNG: I know. When you introduce the
workers, the owner, the supervisor should make application
and write everything down, and when you are going to give
an application, that's the way it's supposed to be. Have
you checked the records?

MR. BONCO: We are not in employment --

COM. JUNG: I know. You should still do that.
You should advise the business, the company who gire the
people to do it.

That's the way it's supposed to be.

MR. BONCO: I would suppose the bar or
restaurant that they went to would have an application.

COM. JUNG: How do they check the person to work
for them? How do they check them?

MR. BONCO: That would be the owner or the
manager of the restaurant or bar they went to, to apply.

COM. JUNG: Do they check their past experience,
or do they check as a minority? Do they check them about
his personality, or how do they usually do that?

MR. BONCO: That would be up to the manager.
We don't do that.

COM. JUNG: Don't you do that, any system of
that, as a businessman?
MR. BONCO: No.

COM. JUNG: That is the way it's supposed to be.

MR. BONCO: No.

COM. JUNG: That is what you --

MR. BONCO: We just provide the phone number.

COM. JUNG: I know, but still you should do that.

CHAIRPERSON LYON: Commissioner Moulton?

Commissioner Soler and then Commissioner Chung.

COM. MOULTON: What kind of Guild are you? Are you a registered Guild?

MR. BONCO: We are a social organization. We are a nonprofit, 551 (c) (6) corporation.

COM. MOULTON: There it is, they are registered with the State of California, we have the opening to see their hiring practices.

MR. BONCO: We don't hire anybody.

CHAIRPERSON LYON: They don't hire anybody.

COM. MOULTON: It doesn't make any difference. If they do -- David, am I right or wrong?

They still have the Constitutional --

COM. YAMAKAWA: Let me pursue this for a moment.

MR. BONCO: Yes?

COM. YAMAKAWA: Are you incorporated, or not incorporated?

MR. BONCO: Incorporated.

COM. YAMAKAWA: You are incorporated under
MR. BONCO: 551(c) (6).

COM. YAMAKAWA: Your Federal exemption is under 551?

MR. BONCO: Yes, sir.

COM. YAMAKAWA: Your exemption is, in fact, obtained under the category of social organization, as opposed to a Chamber of Commerce or a business organization?

MR. BONCO: We are a business league.

COM. YAMAKAWA: You are a business league, then you are not a social organization.

MR. BONCO: Okay.

COM. YAMAKAWA: Go ahead.

COM. MOULTON: That's what I wanted to bring out, and I knew you could do it beautifully.

COM. JUNG: The reason I asked that question is because when you mentioned "so less minority people work for you, " I can't figure it out. About 17 people out of 100.

MR. BONCO: Are members, but we have no employment. We don't employ anybody.

COM. JUNG: I know. Did you say that 17 minority bartenders been working?

MR. BONCO: That is members of our organization.

COM. JUNG: Working with your organization?

MR. BONCO: No.

COM. JUNG: You have not sent these people on to work?

MR. BONCO: No, we didn't send anybody out.
We are not like a Union hall. We don't have a job placement situation, other than including their name and number in our newsletter.

COM. JUNG: As far as business is concerned, it's not right. When you are hiring people --

MR. BONCO: But we are not hiring anybody.

COM. JUNG: Same thing. It's the same idea.

MR. BONCO: Okay.

CHAIRPERSON LYON: Commissioner Soler, you had a question, and then Commissioner Chung.

COM. SOLER: I have in front of me a memo that you've probably seen, to -- that was addressed to the Human Rights Commission from the task force on racism, and the Lesbian/Gay community, and it is a summary of their meetings with the Tavern Guild.

MR. BONCO: Yes.

COM. SOLER: Were you involved in the meetings?

MR. BONCO: Yes.

COM. SOLER: Would you tell me what your sense of those meetings was, and also, you read the Black and White Men together report, and what your sense of that is.

First the meetings, and then the report.

MR. BONCO: Earlier today, it was stated there were two meetings. I remember one. I may have missed the second one.

I remember one. It was at a bar on Folsom Street, at Sixth and Folsom, called the Watering Hole. It was about this time, last year, I believe.
Mike Smith had contacted me and asked if he could address, and he came with about three other, four other people from Black and White Men Together.

And they made a presentation about ten minutes long on the microphone, asking that we be more concerned when hiring people of color. It was just an open dialogue.

There were questions that were asked. That was it.

The second one I don't recall. Is there a date or anything on it?

COM. SOLER: Yes, but it is okay. I mean, we don't have to go into it.

Let's go to the report then. The report, you have read that?

MR. BONCO: I assume I have, yes.

COM. SOLER: Have you read it?

MR. BONCO: Not today, no.

COM. SOLER: You never read the report?

MR. BONCO: I have a file on the Black and White Men Together. If stuff comes in, I will read it and go into the file. I didn't recap it today.

COM. SOLER: I guess I am concerned about that, because the findings of that report are that it's very, very difficult for minorities to be hired at the Tavern Guild, as it represents the membership in the bar -- I am sorry. I'm not quite sure of the interconnecting agencies here.

But I guess what I am concerned about is, one, whether or not not having read the report, the admission that
we have problems, which you have admitted to --

MR. BONCO: Yes.

COM. SOLER: -- is going to lead us anywhere
after we go out of the meeting. The one we have talked about,
you will include the survey. It will be sent out of the
newsletter.

Let me ask you this: What other efforts are
you going to make, regardless of what this body does that
will address the issue of the fact that there are 17 members
of the 300-member group, and there have been a series of
meetings at which, hopefully, the outlook of that would be
some resolution.

So, what do you plan to do in your role as a
leader in the Tavern Guild, to address or re-address some
of the problems that we have been talking about, regardless
of what happens here in this public setting?

MR. BONCO: Well, our next meeting is tomorrow,
tomorrow morning, and I will make a statement that I was
here last night and we have talked and what I have overheard
of various people talking about, and perhaps we can make
a committee in our own organization, and see what we can do.

COM SOLER: Do you have the 17 members of
different minorities that are part of the Tavern Guild, who
have a special section within your membership -- or a
special column in your newsletter. Is there a way that the
17 people have any visibility in your organization?

MR. BONCO: I would say the 17 people are all
employees.
COM. SOLER: They are all active in your organization?

MR. BONCO: They are all actively employed as members and actively employed in the food and beverage industry.

COM. SOLER: That will be at the meeting tomorrow night?

MR. BONCO: It's 1:00 in the afternoon.

Sometimes, we have 40 people or 100, and tomorrow should be a good meeting, because Senator Marks' wife, Carolyn, will be speaking.

COM. SOLER: Would it be possible to get the 17 members of the minorities to sit down with the majority membership and start addressing some of these issues, again, before it takes several months to come out with something?

Maybe it won't take us several months.

But let us assume there is some time after our meeting, to sit down and roll up our sleeves, you have time to do something, and you have 17 members -- and I'm trying to figure out if you are going to do anything with those people?

MR. BONCO: I can do anything that the Human Rights Commission requests. Again, I would like to mention our organization is volunteer, and a lot of times, to get people to volunteer time and energy, I think it's evitable -- and I'm quite surprised, myself, to be here tonight and not see very many owners or bartenders in this audience. I thought there would be more people here.
COM. SOLER: I still don't know what is going to happen, but I think there is a lot of work to do.

MR. BONCO: It is a start.

COM. SOLER: You already have people in your group that you think would help?

MR. BONCO: Yes.

COM. SOLER: If you wanted to, as Phyllis said, you did it with beer, with orange juice and vodka, and now it's time to do it with people.

MR. BONCO: With people, okay.

CHAIRPERSON LYON: Commissioner Chung had a question.

MR. BONCO: Yes?

COM. CHUNG: According to the Black and White Men Together report, published in February, Page 9, the material supporting material, states that the 99 bars surveyed reported something like 360 in February of 1982, and October, '82, respectively.

Minorities hired under this report shows only 27 -- 37, looks like -- no, 33, represent less than 10 percent. If we were to increase this percentage, maybe to 40 percent by the minority, what do you think the difficulty you would have?

MR. BONCO: How can I do it? If you own a bar, you are pretty much going to hire anyone you want. If you own a restaurant, and -- I don't think the Tavern Guild itself can come out and say you have to hire "X" amount of people.
COM. CHUNG: Could you suggest any alternative, percentagewise, you know?

MR. BONCO: We could suggest, yes.

COM. CHUNG: How many minorities could be represented by employees, a tentative percentage?

MR. BONCO: I think one good start would be the minority people who are seeking help -- or seeking employment, start coming to the meetings, and putting their name and phone number down, into our newsletter.

I think that's always a good way to get started, like we sya, the ball rolling.

COM. SOLER: I guess you are looking at me, so I will make a comment. I know we need all to work at getting the ball rolling, there is no difficulty with the ball start rolling, without our conclusions.

COM. CHUNG: Give them some rules on how to do it.

COM. SEVILLA: Your newsletter comes out every two weeks?

MR. BONCO: Every two weeks.

COM. SEVILLA: In there you list people who need a job?

MR. BONCO: Yes, sir.

COM. SEVILLA: Do you also list jobs that are open or available?

MR. BONCO: No.

COM. SEVILLA: Could you do that?

MR. BONCO: We have a meeting tomorrow. The
newsletter gets printed Friday and goes out in the mail Monday or Tuesday of the following week. If there is a job opening by then, it is usually filled.

COM. SEVILLA: That is because of the common practice where your people just who you know. If there was a conscious effort to go out to the community and seek applicants who qualified for those positions, that might just include people of color who will be potential applicants for those positions, might it behoove each bar if they truly believe in trying to bring in people of color in the potential work force, to advertise those positions, and perhaps use the vehicle that you have used, perhaps, successfully, for people looking for jobs?

I mean, there are people who are offering jobs, and if you make it a two-way street, then you give everyone the opportunity to play the same game.

I know, as an employer, that often I can not turn around and hire somebody because I think they are qualified, or take someone within my office to promote them satisfy the position.

Often, I have to go through the procedure, post the position, ask people to form a committee to review, go through a process which is somewhat laborious, but it does assure getting the qualified applicants, in attempting to get some sort of representation of the community that we are representing somehow within the organization.

Now, it is not something that is done easily, and perhaps, somethiingh that could be looked at, perhaps
viewed as a way to combat this problem, because it seems to me, if you have a vehicle, you might as well use it to the best of your ability and make it a two-way operation.

MR. BONCO: That's very true. In the bars and restaurants, if you are going to, say, replace a bartender, you are usually not going to put an ad in the BAR or newsletter. Say, you are looking for a bartender, and come down to a meeting and say, there is a bartending position open in two weeks, you got the bartender working at the current time. He is going to rip you off and go down.

COM. SEVILLA: People don't give two weeks?

MR. BONCO: If they did give two weeks.

COM. SEVILLA: In that case, why couldn't it happen?

MR. BONCO: In that case, it could happen.

COM. SEVILLA: There is a potential?

MR. BONCO: There is a potential, yes.

But, if somebody phoned you up, said they are going to need a bartender that afternoon or the following day, so it's done quite a --

COM. SEVILLA: Is your pool of resources those people put out by word of mouth?

MR. BONCO: Word of mouth.

COM. SEVILLA: So, perhaps, if there were a pool of applicants developed, which apparently you are going to do with your newsletter, if you could delve more by bringing in more people, if people were encouraged to use that applicant tool, perhaps we could have a better
opportunity to get them employed by that vehicle; right?

MR. BONCO: Yes.

CHAIRPERSON LYON: Thank you very much,

Mr. Bonco.

MS. WINNOW: We don't have any more organizations listed as speaking.

We will now be moving into the area of bars, and we have three people speaking who are trying to get jobs.

And the first person is Kevin Wilcox.

If there are any bar owners who would like to speak, in the audience, let me have you fill out a card.

MR. WILCOX: I guess my name is Kevin Wilcox. I have a report that you have in front of you.

Also, Page 9, at the bottom, turn to it. But, I must say that I have in the past, for about, at least a year now, since I have been here in the city, applied for jobs in bars as a barboy or floor person, and I was told from one bar that they have to take applications one at a time. That's how they -- that is their procedure.

And on October 24th, 1983, I approached one of the bartenders at the Badlands, 4121 18th Street, for an application. He told me they only accepted applications on Monday. So, on October 31st, 1983, I made a follow-up to the same bar.

I was told that because it was Halloween, they weren't interviewing applicants that day. I have left copies of resumes two different times. No answer.
It's been suggested to me, on different times, by many people, I'm sure that my speech may have something to do with my not being hired, but I say, if given a chance, I do have -- I have, in the past, worked as a bartender in catering situations, and I have worked as a barboy and a floor person in Chicago, while discriminated against once there, as well.

But when I was ready to file a discrimination suit, they offered money, and, of course, I said, "No."
And they offered a weekend position, doing bar work. I said that would be fine "because I am a person. I don't sit on my behind and watch other people work. I believe in making my own salary. I have ambition. I'm a human being and I feel like I'm capable to do anything that anybody else can do, given the chance."

And I would say to the person of a few minutes ago. I was at Tavern Guild meeting. He was there. No one offered me an application at all. But I'm sure that their trying to make an effort.

I want to make an effort to appear at some of their meetings, and I just hope something can be done about it because I don't believe in fighting when I don't have to. But if I have to, we'll take it to the highest court, because I am a human being.

Thank you.

CHAIRPERSON LYON: Thank you, Mr. Wilcox.

MS. WINNOW: Lawrence Weathers.

MR. WEATHERS: Good evening. I am Lawrence A.
I am not used to speaking in public anymore because I don't go out that often.

I am in this report on employment discrimination project, BWMT, Page 10. If you can see, my fingernails are clean. I am a man of color. I'm a native-born San Franciscan. I've been here for 30 years, plus I have worked up in Lake Tahoe tending bar.

I've worked in Los Angeles and in Long Beach. I worked in various and sundry places doing a number of things. I'm more straight-laced than Gay oriented, working, because I've found that it is not necessary to work and fight at the same time.

I have applied at my favorite place, which is on 18th Street, which I call the Country Club. Other people call it the Pendulum.

I'm very friendly with the owner. I have good clout and good reputation. I can cash checks at any time, and by word of mouth I can have a check cashed for any other individual, straight or Gay.

I was told, point blank, that the owner of the bar, one of them who happens to be Gay, that he didn't want another black bartender to work there. He had one, at one time.

There is one there currently who happens to be -- how can I put it -- affiliated with him, so therefore, he works there.

Touring of the Castro neighborhood, you don't find too many people of color there. I have given up
on applying. I also applied at the Badlands. I submitted
an application of qualifications and a picture. Never had
any response.

I have been a member of that community for
quite some time, in good standing. I, myself, have turned
and gone to the NAACP because -- solely, my mother is
Administrative Assistant, and I found I can get better
response from them because of the organization and family
ties. I think it's about time we took on a phrase, "Pull
up our direction and stop our foot," because no one is
doing anything.

There is a lot of talk, but no one is doing
anything. They say they'll boycott, but they run through
the borders. They say they don't like the money freely.
I, too, spend my money, and go. But when I don't feel like
going, I don't feel like being bothered, I don't.

I find the question here today is representation.
As we look around, we see few faces of color, but we don't
see this room full. I don't see any headway. If we
can't have all of us behind us, we have a fight ahead of us,
and it is a big fight, and it is one fight that we have to
win.

The Gay community, as I understand it, is one
culture, but there are so many subcultures, that it is
pathetic. The longer people look at me first because I'm
black and then because I'm male, and then thereafter they
look at other things.

It's obvious, by the way I speak, that I took
some time for my education, because I had backing. And what is the good back without a front. And it seems like we have a good front here, but we have no backing.

I took the time to come down, because I was informed about this. I was sent a telegram while I was overseas to send in this letter. I had a very good friend that composed it for me and let him sign my name to it.

Everything that he stated in it, I can vouch for, because he knows me and it is true.

I just thought I would come down and see what was happening and tell you what I know. And as time goes on, we will see what happens.

Thank you.

CHAIRPERSON LYON: Thank you, Mr. Weathers. Hopefully, something will happen.

MR. WEATHERS: We'll see.

MS. WINNOW: James Ivory, please?

MR. IVORY: Good afternoon, Commissioners.

I would just like to give a little bit of a personal experience in support of the efforts of the Black and White Men Together Employment Discrimination Report.

I have been an active member of Black and White Men Together since 1980 and have been asked, and volunteered to follow through on this project, since its conception.

The point of importance I see in the effort, in putting together this report, is the question of criteria of hiring by Gay bars. Has the San Francisco Gay bar industry outgrown the old boy network? That is my
major question.

Are there racial or ethnic images of employees that the private owners of these Gay bars foster, which keeps them from hiring more equitably?

To me, it's a question of sensitivity of these businessmen who take from our community and could be asked to give something back in return.

Due process of employment -- the due process of employment serves another matter that I would like to see addressed.

I have only on one occasion in the 16 years of being a San Franciscan, I'm a native San Franciscan, seen an open listing of an employment opportunity, and that was in the Castro Station Bar. Are there any other outreach programs for minorities in San Francisco Gay Bars?

I have seen very little of this. And from the testimony I've heard today, I suspect that I have not seen it because very little exists.

The possibility of our -- of the sensitivity of the minority Gays in this community turning to anger, is a very real threat. And I hope by hearing our frustration, in these hearings, we can subvert a possible anger and get on with some really constructive efforts to see that everyone who is qualified to work in a Gay bar, in the Gay industry has an opportunity to do so.

My one and only effort in looking for employment in the Gay bar industry was a very sincere one of attempting for part-time employment. This bar is in the
South Market area, and my organization had used it twice
previously for a co-sponsored fund raising event.

I had overheard, during one of these events,
during the last event, a comment from one of the employees
employed at this bar that there were potential openings for
bartenders, or ancillary bar help.

I made a phone call to inquire into the possibility
of such employment and was informed that there was a potential
opening for employment at that establishment. I was advised
to make an appointment to interview with the staff manager,
Mr. Elmer Williams, at that time. We did have an interview.
I was able to set up an interview.

In the process of phoning in for the interview,
I overheard on the phone, in my house, from the barowner,
who I had met earlier, "That's all I need, that's just what
I needed, another Jim Ivory."

This sort of sensitivity literally floored me,
because as a native San Franciscan, I have grown up with the
expectation of fair employment practices.

I have a profession. I really don't need to
get into the Gay bar industry, but I feel that my talents
and integrity should not be judged over the phone, sight
unseen.

Thank you.

CHAIRPERSON LYON: Thank you.

MS. WINNOW: Judith Moschkovich, an individual,
will be speaking about a restaurant experience she had.

MS. MASCHKOVICH: First of all, I would like
to say I'm here as a witness for a friend of mine who
applied for a job, not for myself.

    Last March, I accompanied this friend to apply
for a job at a Gay-owned ice cream parlor on 18th Street.
The job was advertised at San Francisco State University
as being an opening. My friend was told that the job was
filled.

    She's black Puerto Rican. We left the place.
A couple of days later, I checked on the bulletin board at
San Francisco State that was advertising this job, and the
job was still posted. So, I went back, and I, myself, went
and asked whoever was behind the counter, at this time, about
the job. And I got an application.

    And I have been sitting on this since March,
because it was obvious that it wasn't a matter of making an
application.

    And I would like to mention that my friend is
totally overqualified for counter help, with a college degree,
but that she wasn't even allowed to fill out the application
because of how she looked, and then I was, because of how
I looked.

    So, it was clear to me what was going on. I
want to say, that I didn't make a complaint anywhere because
I didn't know where to go. I didn't know what to do. And
I would suggest, I've heard other stories of this kind from
friends. I would like to see that there is some sort of
procedure, some sort of agency, which makes it clear that
there is a place to go when such things happen.
I'm glad that I can be here just to deal with
the frustration of not knowing what to do with that.

The other thing I want to mention, when I heard
of these hearings, I talked to two friends of mine, one of
whom is a black woman who is now working somewhere, and she
said, "Boy, I could tell you some stories by my job would
be on the line."

And I don't think that even if she reported any-
thing anonymously she would feel safe, because if she had
spoken up on issues of racism, she would be identified as
a person who reported something.

Another friend who is white, who works in a
women's restaurant was also a witness to discriminatory
practices where somebody went to apply who was black, and
the owner says something like -- she was black and had an
accent. And the owner said, "I want to hire people who are
American."

So, it was obvious. I talked with my friend.
Her lover now works at the same restaurant, and again, she
has been identified as a person who is vocal and has raised
the issue of racism, and she can't jeopardize her lover's
job.

So, the only suggestion I have is if there was
a way to have people respond anonymously to the survey, there
are a lot of experiences out there, and it isn't easy for
everyone to come out and say "This happened to me," or "This
happened to someone while I was working there." So, I think
there needs to be a vehicle where these people can do that
anonymously, where there is enough outreach done, you know, gathering places of business places. People have a way to let these kinds of incidents be known.

Thank you.

COM. SEVILLA: Can I thank you to take the vehicle that you did, because in having these hearings, we are concerned about that, people who would jeopardize their job. So, you did it for a friend. I appreciate that.

MS. MOSCHKOVICH: Also, as a Latin American, white-skinned Latin American, I would like to point out that people who are a witness, and not the direct witness of racist discrimination, I think we have a duty to come out and say, "This is what's going on." we do have it a little bit easier. So, it's easier to do that.

CHAIRPERSON LYON: Thank you.

MS. WINNOW: Toni Macante, owner of Macante's Bar.

MS. MACANTE: Well, lo and behold, I am probably the only bar owner in the room tonight.

CHAIRPERSON LYON: We should point that out earlier.

MS. MACANTE: But, I didn't really come out to speak, but I heard so many things in this room tonight, that I just can't stay still for one moment.

But, on the other hand, I'm probably going to speak on behalf of the employer, because I think there needs to be something said on that side, also.

It's not always a one-sided story.
There were so many questions, that I had when I was sitting back there, I'm sure I'm going to forget nine of those ten that I thought of.

I happen to own a bar that is predominantly woman-occupied. Although, I think we have kind of a cross-section. I get guys there. I get straight men, I get Gay men. I get straight women, I get Gay women.

I have employed more than one occasion, black men, black women. However, they do not come to me for jobs, because I'm not one of the biggies, you see. And I don't feel that I discriminate in relation to what color you are, but I do feel that it is necessary to apply some rules of discretion in terms of who you employ.

Like, Mr. Bonco pointed out, unless I feel very comfortable about the fact that that person is trustworthy, that person is honest, that person is not going to pour me out of business, that person is not going to steal from me, I don't care what color you are, you are not going to get hired. I've also done that in reverse.

And Jim is also right when he said a lot of the hiring is done by word of mouth, because if you have heard from somebody that there is somebody out there that is trustworthy, or that has done a reasonably responsible job, certainly you are interested in talking to that person first.

I'm sure I had a lot of other points. There were some questions about -- that were raised at this table, that I had to bite my tongue to try to refrain from jumping in on, simply because I felt there was some misunderstanding
on the side of the Commissioners.

And so, I would like to, perhaps, have you put
some of those questions to me, in relationship to an employer.

COM. SEVILLA: Well, in listening to your
testimony, I am sort of hearing -- correct me if I am wrong --
that you look for sort of a "super-person" and someone to
hire. In any hiring, we certainly look for someone, not only
with qualifications and integrity and confidence, that you
would hold in that person.

MS. MACANTE: Can I can take one word you used?
"Super-person."

COM. SEVILLA: Sure.

MS. MACANTE: I'm not looking for a "super-person."

COM. SEVILLA: In doing that, and I'm not going
to assume that in your case that you are inherently racist
or anything to that effect, but let's say someone were a
racist, and used those same qualifications, and did it as
a result of racism, wouldn't that create a double responsibility
upon the applicant, a person of color, to not only convince
you of all those qualities that someone would look for, but
the fact that you are a person of color, shouldn't get in
the way?

MS. MACANTE: I have do deal with what I feel.
I'm not going to second guess all of the other employers that
have bars and restaurants.

I do not personally go on the basis of color,
but I also do not appreciate government interference, or agency
interference as to how I am going to run my business, who
I am going to hire, what I am going to put in my home, what
I am going to -- what kind of car I buy or what I should do
with that car.

I don't even like the government telling me I
have to buckle up.

COM. SEVILLA: You do realize your operation
is under government regulation that required fair employment
practices?

MS. MACANTE: I practice fair employment practices,
but I practice simply because I happen to be a fair human
being, but I don't think I need the government, or an agency
to tell me how to do that.

COM. SEVILLA: Do you think the government has
the responsibility to decide -- to set, in general, perhaps
to look into situations where there are accusations of
unfair hiring practices, and perhaps make recommendations
to amend the problems?

MS. MACANTE: I certainly think it's all right
to have the means by which you suggest. But as far as
policing, that is a different matter. You can suggest and
you can hope that all of those other people out there are
going to do the fair thing -- do the right thing.

COM. SEVILLA: If they are not, you don't think
the government should intervene and make a stringent, or
perhaps, not stringent, or point out the issues that, in fact,
discrimination taking place?

MS. MACANTE: Let's not kid ourselves. We know
its discrimination. We know we all discriminate in our own
particular way for our own particular reasons. So, let's not talk about discrimination. We are talking about fair practices.

COM. SEVILLA: We are talking about discrimination.

MS. MACANTE: We are talking about fairness.

COM. SEVILLA: That is the point of the hearing, and I think it is a role we have in government, to protect those people who are being discriminated against.

If it is happening, we have to look at that.

MS. MACANTE: I also feel that qualified people are employed. And perhaps what you are looking are mainly -- I'm not talking about qualified in every area. I am talking about, perhaps, unqualified in certain areas.

For instance, there was an elusion made to women's bars that do not have a practice of hiring male bartenders. What are you going to do about it?

COM. SEVILLA: You said something I want to ask a question about. My general -- is perhaps one of the problems that people of color have is that they are not experienced and their faces are not recognizable by a major number of employees in this city. Therefore, they wouldn't feel these people are well-qualified, who are looking for employment. Isn't that still the case with women, and yet you have managed to hire, I assume, women in your bars, in your bar?

MS. MACANTE: Yes.

COM. SEVILLA: They started somewhere. I was
a bartender for six years, and I started somewhere once.

MS. MACANTE: Some of them started with me, simply because they had no other way to get into that line of work, which they wanted to get into.

COM. SEVILLA: You see, it's feasible that an employer could look at that issue as a criteria for hiring somebody, the fact that they are good, they are honest, they clean their fingernails, they present themselves in a positive manner, and, perhaps, they don't have the experience.

And an employer, such as yourself, could give them the opportunity for that experience?

MS. MACANTE: I have on many occasions. I would also like to say, in relation to the Tavern Guild, and I also happen to be a member and past Board Member, that I think there are two things that they can do, and I have suggested this to Jim Bonco, and I've also pointed out to the Board, when I was on the Board, that I hope they would very seriously consider a grievance committee, so that employees and employers have a way of airing their grievances and working out these things that do exist. And not only in the bar business.

You know, it's a way of life out there.

I also suggested that perhaps they could install some kind of -- or a better job placement situation. I think those are the two areas that are very, very badly needed at the Tavern Guild.

But, as Mr. Bonco pointed out, and it is very true, this is an organization made up of volunteers.
COM. SEVILLA: Would you, as a volunteer, participate in a volunteer job recruitment by your organization?

MS. MACANTE: I have told them time and time again, I will.

COM. SEVILLA: Great.

MS. MACANTE: I told them tonight, and I think even if I wind up having to do it all myself, I would probably get involved in some way.

But let me tell you also, I probably am running way beyond your time. I think there are a lot of things you people don't understand about the bar business that I learned very quickly and very sorrowfully, in terms of people you can trust behind the bar, and I, for one, do not give my bartenders notice. What they get is their paycheck, with perhaps, a two-weeks advance. They're gone that night or that day.

It is not the kind of business that you can deal with in any other way, because they will just wipe you out, and that's the hard thanks of it.

I had it happen twice to me now, and I will not do it again. I don't care whether you tell me I have to do it, because I won't do it.

CHAIRPERSON LYON: Commission Yamakawa?

COM. YAMAKAWA: Which of the ABC licenses do you operate under?

MS. MACANTE: It's General on-sale liquor.

COM. YAMAKAWA: General on-sale, not a bonified business?
MS. MACANTE: No, I don't have a bonified business license.
I also have a catering license to cater my bar outside of the bar.

COM. YAMAKAWA: For someone who doesn't like government interference, haven't you voluntarily, in fact, entered into an area where government, particularly, as a general on-premises licensee, tells you more of what you've got to do, or what you can't do, than almost any other business that you can think of?

MS. MACANTE: Oh, undoubtedly, but I didn't say I like it. I have to live with it, but I didn't say I liked it. But I think, generally, their rules are fair.

COM. YAMAKAWA: You feel though, that what we are trying to do is somehow an intrusion on your business, because it's not fair?

MS. MACANTE: No, I'm telling you that I would not react that way. I'm telling you it does happen out there. I don't happen to feel that I am an employer that handles my business in that way, because I have hired a person that I felt was reasonably safe regardless of who you are, male, female, black, white. That doesn't enter into my picture.

COM. YAMAKAWA: As a person who is interested in hiring people who are trustworthy, who are honest, who are not going to top the till, are not going to give away the bar and so forth, and so on, the kind of things that bars are concerned about in terms of hiring, and also someone who is sometimes faced with a need to hire someone right away,
because you don't give notice, just paid them off, as it were, in lieu of notice. How do you go about filling these vacancies? How do you go about finding a replacement for someone you are terminating, and also finding someone who meets your basic criteria?

MS. MACANTE: It's generally through my present bartenders. As a matter of fact, the kinds of incidents have have -- sometimes, they tell me that they want to change operations, they want to get into another line of work, and they'll give me notice. That's fine.

Or, they'll say, "I want to leave. This person that I know is looking for a job, and this, this and this -- would you consider talking to them?" "Sure, I'll consider talking to them." I will take their word first, before I would take somebody off the street.

COM. YAMAKAWA: At any given point in time, do you have a number of people that you have, as it were, prequalified, that you can pick up, if a shift is --

MS. MACANTE: I wish I had that advantage. As I said, I'm not one of the biggies. I am a little, old operation down in the Mission district, and I don't have the people coming to me for work.

As a matter of fact, when I was on the Tavern Guild Board, there were several times when I have gone to the Board, as Mr. Bonco pointed out, and said "I'm looking for a bartender." There aren't too many that will come into the Mission district to work in a basically women's bar, where there are not a lot of tips, so I don't have that kind of
situation. Does that answer your question?

COM. YAMAKAWA: You mean, if you don't have an
overabundance of people, prequalified -- it's still not clear
to me.

If you don't have a large number of people coming
to you, how do you find the people when you terminate people?

MS. MACANTE: I thought I answered that when
I told you I rely on my present bartenders for their
recommendation of somebody they know. I also must say that
I have had to majority of my bartenders stay with me for a
while and I don't have that kind of a turnover, fortunately.

But when there is a turnover, there is a need,
it's usually filled by somebody that one of my bartenders
has recommended.

COM. YAMAKAWA: I have a question -- go ahead.

I am sorry.

CHAIRPERSON LYON: I am sorry, Commissioner Chung.

COM. CHUNG: You stressed the importance of
trustworthiness and qualified person. Do you have any standard
practice established, whether an applicant is a trustworthy
person or not?

MS. MACANTE: If it is somebody that has come
to me that I don't know, I take that initial step and say,
"I'll give it a chance. And if it works out, fine. If it
doesn't, you're gone."

COM. CHUNG: Maybe you ask him, "Where did you
work?"

MS. MACANTE: Oh, sure.
COM. CHUNG: How long?

MS. MACANTE: Oh, certainly. I don't say, "Okay, you're it, go behind the bar." We sit down for a while and talk to each other. I try to determine whether there is a past experience, where they worked before. If they are new in the city and they haven't had any experience in the city, that's okay.

That doesn't bother me, I just go on my gut feeling, and if that person works out, fine, all right. Then, I have chosen correctly.

If not, I'll know it very quickly, and I pull their key and say, "Thank you very much."

COM. CHUNG: As to qualified persons, I think that minority has not available for the jobs, as much as white people --

MS. MACANTE: I think there is something to be said for that. I think, like Mr. Bonco pointed out, there are a lot of third world people in the market.

COM. CHUNG: Why is that?

MS. MACANTE: I don't have any firsthand knowledge of why that is so, but I do know it is so. I mean, just by my own association with the Tavern Guild, and association with the community, at large, they are just not that visible. And either than, or I think -- Let me take it a step further.

I think some of it has to do with, perhaps, language barrier. If you're not English-speaking, that can be a problem. I would have the same problem in their country.
if I don't speak their language. I'm going to have a problem.

COM. CHUNG: How about black people?

MS. MACANTE: I don't understand what that problem is, in terms of qualified people.

COM. CHUNG: I guess there is some psychological reasons as to why qualified bartenders are not available, or something.

MS. MACANTE: I've heard black --

COM. CHUNG: Maybe it discourages them?

MS. MACANTE: I've hired black male bartenders and female bartenders. The female bartender went her own way after spending her couple of years. The black male bartender I let go because of certain irregularities. And I will tell you this specifically, one of them was I found that he had closed early on more than one occasion. Just closed the doors, simply because he just felt like closing up the bar.

I would come by at 1:00 in the morning, 1:30, find the place dark. I said, "What the hell is going on?" I would call him the next day.

"Well, I didn't feel well, so I decided to close. I wasn't too busy." And I am sorry, I didn't keep that person around. I don't care what color he is. It's got nothing to do with his being black.

I want to reemphasize that. It had nothing to do with his color.

COM. CHUNG: At least you are talking about yourself, not other people.
MS. MACANTE: Right. I can't second guess all the other people. I'm just saying, I think there are two sides to the story.

COM. SEVILLA: I am just curious if that experience colors your perspective on hiring other applicants?

MS. MACANTE: No, absolutely not.

COM. SEVILLA: I guess part of me is curious about government interference and looking as my responsibility as a member of the Gay community to use the government to promote good will and responsibility in all facets of our community.

As an ethic person, use government to help, and I think the major issue that I see taking place, I think the people, colored people, the Gay community, in asking for help, and this is the last resort. And this is coming to the government and asking for intervention.

I think, if anything, we use that opportunity, and you, being here, can utilize that opportunity, because we are going to hear your position, and that is a problem.

The other problem is frustration. How can we get other bartenders? And if you responded, and I haven't asked you --

MS. MACANTE: I'm glad you brought that up. I forgot that one.

COM. SEVILLA: why?

MS. MACANTE: It was too perbuse. It was too wordy. I couldn't deal with it at all. I looked at it, I said, "To hell with it." There were too many areas, too many
questions, too many boxes to fill out. Forget it.

COM. SEVILLA: If your bar were controlled by
the ABC, the State, aren't there forms and regulations?

MS. MACANTE: Well, they want to know where my
money comes from, my name and address, my social security
number.

COM. SEVILLA: You fill these forms out?

MS. MACANTE: Sure.

COM. SEVILLA: Why is there a difference?

We are a form of government, attempting to look
at a problem, and attempting to get information, voluntarily
from you.

MS. MACANTE: I felt that it went way beyond
that.

COM. SEVILLA: You didn't respond to that by
sending in the form, and indicating why you hadn't answered?

MS. MACANTE: No, because I knew I was coming
here tonight. But that's one of my biggest reasons for not
responding, because I found it was way overdone, and touching
on areas that were none of your business.

COM. SEVILLA: That's interesting.

Let's say if you became a Union bar, if your
employees chose to go Union --

MS. MACANTE: I would sell it.

COM. SEVILLA: You would sell it?

MS. MACANTE: Yes.

COM. SEVILLA: You wouldn't utilize the Union
hall and practices prescribed by the Union?
MS. MACANTE: I wouldn't. I'm sorry, I don't go along with that. I happen to be probably very conservative republican but I do not agree with a lot of these things that are in force. But that doesn't mean I have to agree with everything.

COM. SEVILLA: But even as a good republican, you certainly prescribe to fair employment practices; don't you?

MS. MACANTE: Absolutely. But I told you, I deal with that myself. I don't need the government to tell me to do that. I just happen to be a responsible person.

COM. SEVILLA: Thank you.

MS. WINNOW: We do not have any more speakers tonight.

CHAIRPERSON LYON: Thank you.

We do not have any more speakers tonight. Then we will adjourn until November 21st.

Thank you all for coming tonight.

(9:25 p.m. - Public Hearing was adjourned until November 21st, 1983, at 5:30 p.m.)

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