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

LESBIAN/GAY BUSINESS

PUBLIC HEARINGS TRANSCRIPT
Monday, November 21, 1983

Public Utilities Commission
State Building
San Francisco, California, 94102

Reported by:
LOWELL E. TOrNO

VOLUME II
# Index

<table>
<thead>
<tr>
<th>SPEAKERS:</th>
<th>PAGE</th>
<th>LINE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statement by RUSSELL KASSMAN</td>
<td>132</td>
<td>19</td>
</tr>
<tr>
<td>Statement by DEBORAH KELLEY</td>
<td>144</td>
<td>28</td>
</tr>
<tr>
<td>Statement by CLAVER CANFELL</td>
<td>153</td>
<td>20</td>
</tr>
<tr>
<td>Statement by MIKE SMITH</td>
<td>157</td>
<td>8</td>
</tr>
<tr>
<td>Statement by RUTH HUGHES</td>
<td>168</td>
<td>9</td>
</tr>
<tr>
<td>Statement by DION SANDERS</td>
<td>177</td>
<td>1</td>
</tr>
<tr>
<td>Statement by EDWARD MARTIN</td>
<td>185</td>
<td>1</td>
</tr>
<tr>
<td>Statement by KEMIT AMENOPHIS</td>
<td>202</td>
<td>12</td>
</tr>
<tr>
<td>Statement by TOM HORAN</td>
<td>208</td>
<td>9</td>
</tr>
<tr>
<td>Statement by HANK WILSON</td>
<td>211</td>
<td>2</td>
</tr>
<tr>
<td>Statement by DIANE CHRISTENSEN</td>
<td>225</td>
<td>22</td>
</tr>
</tbody>
</table>

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APPEARANCES:

THE HUMAN RIGHTS COMMISSION:

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

THE HUMAN RIGHTS COMMISSION STAFF:

GRANT MICKINS, Director
GAIL ROBERTS
JACKIE WINNOW

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NOVEMBER 21, 1983

PROCEEDINGS

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CHAIRPERSON LYON: Ladies and gentlemen, we are ready to begin.

Director Mickins, do you want to call the roll of the Commissioners?

MR. MICKINS: Yes, Madam Chair.

Commissioner Ambrogi?

Commissioner Chung? (Appeared later.)

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?

Commissioner Suncin?

COM. SUNCIN: Here.

MR. MICKINS: Commissioner Sevilla?

COM. SEVILLA: Here.

MR. MICKINS: Commissioner Soler?

Commissioner Wade?

COM. WADE: Here.

MR. MICKINS: Commissioner Weiner?

Commissioner Yamakawa?
COM. YAMAKAWA: Here.

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

CHAIRPERSON LYON: Thank you. Before we start, since I gather a number of you were not here at the last hearing we had two weeks ago, I would like to ask the Director of the Human Rights Commission, Grant Mickins, to give you some explanation of what is happening.

MR. MICKINS: Thank you, Madam Chair.

Members of the Commission, members of the business community, guests and friends, the Public Hearing we are assembled here tonight to hear, is the same as in the first hearing, which we held on November 7th.

A function which the Commission has as a part of the role and responsibilities pursuant to the provision of Chapter 12(A) of the Administrative Code, among the many responsibilities and duties that the Commission has, one of the most important is set out in Section 12(A)(5) of the Administrative Code, and it reads, in part that:

"In addition to the powers and duties set forth in this ordinance, the Commission shall have the power and duty to, (a) study and investigate and mediate and hold Public Hearings on community-wide problems arising in the City and County and which may result in inter-group tensions or discrimination because of race, religion, color, ancestry, age, sex, sexual orientation, disability or place of birth."

And it goes on, so forth.

The history and chronology of this function by the
Commission has been to utilize the public hearing as a tool
to identify the problems, if any, define issues, canvass
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 problems.

The first use of the Public Hearing process by the
Commission occurred in 1965 involving the allegations of
discrimination of the hotels and the department stores of San
Francisco. Subsequent legislation has been developed from
the Public Hearing approaches, such as, Chapter 12(b), which
involves illegal employment opportunity for minorities in
city contracts, and Chapter 12(c), the public accommodations
of the Administrative Code.

The Commission's work with the Gay/Lesbian
community began in 1970 and included working with the Pride
Foundation and other Gay organizations, in addition to the
Code of sexual orientation, as a protected class. We were
among the first municipalities in history to establish such a
protection.

The work of the Gay Advisory Committee, which was
established approximately five years later, needs no
elaboration. The many victories include the resolution of a
complaint by the Pride Foundation against the Pacific
Telephone Company and the other corporations who, as a matter
of policy, had theretofore, discriminated on the basis of
sexual preference.

Again, the Task Force on Racism has asked the
Commission to assist in the forming of a solution to a problem area, which it has identified as potentially inhibiting the further development and growth of its most vital movement.

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

Thank you.

CHAIRPERSON LYON: Thank you, Grant.

Now, I would like to introduce Commissioner Richard Sevilla, who is the co-chair, with Commissioner Yamakawa of the Lesbian/Gay Advisory Committee.

COM. SEVILLA: Thank you. I want to basically repeat what we said at the last meeting in order to bring everyone up to date. I wasn't present at the time.

These Public Hearings are being held to study the employment practices of the 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 from inside. When the Task Force on Racism, a task force of approximately 15 organizations, came to them concerning the third 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 with 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/Gay community, which some members of that community feel need to be addressed. In fact, the Lesbian/Gay community will be able to act as a role model for other communities to deal with intra-group discrimination issues."
Thank you.

CHAIRPERSON LYON: Thank you, Commissioner.

We just have a few ground rules for those of you who are going to speak. And that is, that organizations will be given ten minutes, businesses and individuals will be given five minutes to speak. And Gail Roberts from the Human Rights Commission staff will be keeping time on the speakers.

We are going to take people, basically, in order of when they signed in this evening.

I want to thank, first of all, the people that made this Hearing logistically possible, starting with Jackie Winnow, who coordinated the Hearing, and who was the staff person of the Human Rights Commission, dealing primarily with Lesbian and Gay concerns; internal staff and volunteers, Joanne Berg; Bob Duwors; Eileen Gillis; Leonard Parsons and Ted Robinson; the entire Lesbian/Gay Advisory Committee.

We do have, or did have a sign language interpreter present.

MS. WINNOW: We do.

CHAIRPERSON LYON: Should they be necessary.

Lynn Paleo and Ruby Gole. Francesca Dubie, doing child care. And all of these people did it at the first Hearing. Also, I should say, we have our tried and true Lowell Torno, who is doing the stenotyping for us tonight.

And we especially want to thank the parade committee, especially Paul Gross and Susan Grautier in assistance with child care monitors.

Depending upon how many people will want to speak,
we will take a break at some logical point in the Hearing.
This is the final Hearing, and so we want to get everybody in
who wants to speak.

   Okay, so we can start, Jackie.

MS. WINNOW: Phyllis, before we start, I would
like to just make a comment about the Work Force surveys we
sent out. We sent out Work Force Surveys to 275 businesses,
but only 30 or 4.7 percent returned those surveys. So, we
couldn't make an adequate analysis, logistical analysis.

From our last hearing, the Tavern Guild and Golden
Gate Business Association has agreed to sent Work Force
Surveys out in their next newsletter, with a newsletter item.
And those have been delivered to those organizations. So,
hopefully the returns will be better.

CHAIRPERSON LYON: Thank you.

MS. WINNOW: The first person to speak is Russell
Kassman. He is the owner of R. Kassman Piano and Organ
stores.

MR. KASSMAN: Good evening. I think that as a Gay
businessman, in order to help you in your search for
solutions to problems, I can tell you how, in my company, we
go about hiring people.

When we have a position available, we have, as a
rule, three employment services that we contact, stating what
position is available and what the salary is, et cetera.

One is the Jewish Vocational Service, which is
service funded by the Jewish Federation Counsel. Another is
the Gay Employment Service. And the third is a service aided
by the Federal Government, which works specifically with
people 65 years of age and older -- I can't remember the name
of it.

And we usually contact them and we tell them what
the position is and they will send applicants into our store,
and they will fill out applications and go for an interview.

In the past few months, we have used the Gay
Employment Service, that I can remember, seven times. We
have hired applicants from that service four times, and only
one of those employees remains in our employee today.

And part of the problem that we have had with the
Gay Employment -- Let me compare that, by the way, to the
other employment services.

We have employed out of the Jewish Vocational
Service three employees, two of which stayed with us for two
and a half years, and one of which remains with us, after
approximately four years. Two were Russian/Jewish immigrants
who came to this country, and we trained them in a specific
vocation, i.e. piano rebuilding. And the third was a
part-time secretarial position with a specific termination
date, and that termination date has already passed.

We have not been able to find, from the Retirement
Service, anybody who was able to fulfill the requirements
that we had to this point.

The problem that we have found with specifically
the Gay Employment Service, is that they traditionally, or
historically have been sending us applicants that have
nothing to do with the position, qualifications have nothing to do
I'll give you an example.

A few months ago, we needed somebody to help with
the delivery of pianos, so again we went to our
pre-traditional employment services, and we were sent
applicants.

Two applicants that we were sent by the Gay
Employment Service, were people who had master's degrees
cou--- one had a master's degree in computer technology, and
another person was a gentleman who had a biology degree, and
the third person was a person who had a back problem, and
could not possibly accept the position.

We finally did hire one gentleman from the Gay
Employment service, who lasted a three-month period, where he
was not working in his field, which is also computer
technology. And we know that he is going to be leaving in
January, and we are still looking for somebody to fill my
position.

And I think that it distresses me as, number one, a
Gay male, and a Gay business owner that we cannot find --
that the employment service that we have in the community is
not working in what I consider to be traditional employment
service. Tactics are under what I would consider to be
acceptable practices. And I would like to see that change.

We have also tried many times, to hire -- We have
tried twice in the Gay community to hire people out of
half-way houses, drug rehabilitation programs.
Unfortunately, that has also not been successful, and the
reason I feel that it wasn't successful was that the
counsellors that initially approached us in terms of employing these people did not follow, or keep in touch with these people, and allow them to get back into their old patterns and made their termination inevitable.

CHAIRPERSON LYON: Thank you, Mr. Kassman.

Is the Gay Employment Agency that you are using the only one that is available in the --

MR. KASSMAN: To my knowledge.

COM. SEVILLA: In your experience in working with this agency, have they ever sent you applicants of color? Have they always been --

MR. KASSMAN: Yes, they have. They have sent us one applicant, young lady who was to fill a part-time secretarial position. And we are located in the financial district of San Francisco. The position, we were quite clear, that the person had to be very professional and had to deal with clients on a daily basis.

And fortunately, this person was not consulted in terms of how to interview for this particular position, and she interviewed twice. After we interviewed her the first time, we called the owner of the Gay Employment Service, we said, "Look, perhaps it was because she wasn't told she needed to dress in a traditional manner, et cetera, that she came in that appearance. Could you please explain it to her and send her back?"

Well, they did what they felt was an adequate job of explaining to her, and it was not acceptable.

CHAIRPERSON LYON: Commissioner Yamakawa?
COM. YAMAKAWA: Your store is in the financial
district, you say?

MR. KASSMAN: Yes. We have two stores. One in
the financial district and one in downtown Oakland.

COM. YAMAKAWA: So, yours is a two-store business?

MR. KASSMAN: Yes.

COM. YAMAKAWA: For the record, where are your two
businesses located, by way of address?

MR. KASSMAN: We are at No. 30 Second Street.

COM. YAMAKAWA: That is in San Francisco?

MR. KASSMAN: Yes.

COM. YAMAKAWA: What about the one in Oakland?

MR. KASSMAN: It's at 24 Broadway.

COM. YAMAKAWA: What is the total work force that
you ordinarily have in the background in which you are giving
us this information?

MR. KASSMAN: Between eight and eleven people.

COM. YAMAKAWA: So you have an ordinary work force
of approximately eight to eleven people?

MR. KASSMAN: Yes.

COM. YAMAKAWA: Can you sort of break down, by
regular work force between clerical, you know, what
composition of your work force you have?

MR. KASSMAN: Approximately four sales people, two
clerical, two piano technical, and two delivery people.

COM. YAMAKAWA: Turning to the example which you
gave, where you had this young woman who came in and you felt
that she had not been prepared for her interview, is this an
point.

COM. YAMAKAWA: Wasn't it easier, in terms of
calling the two people back, to discuss your expectations
with the face to face?

MR. KASSMAN: Yes, that's quite possible.

COM. YAMAKAWA: You seem to be socially conscious
in the employment sources which you use. Have you tried
either the Economic Development Department, that is to say
the State Employment Service, or some affirmative action
agency?

MR. KASSMAN: Yes, we use the Employment
Development Department fairly regularly.

COM. YAMAKAWA: Did you get minority referrals
from those?

Would you describe your experience with them,
because you didn't list that as part of you --

MR. KASSMAN: Let me tell you what the break down
of the current eight people is that we have.

COM. YAMAKAWA: Why don't you do that.

MR. KASSMAN: We have three Gay males, including
myself, one chinese woman, one black male, two Jewish
males -- one of which is a Russian/Jewish immigrant, and of
course, one white, anglo, saxon, protestant, WASP.

COM. YAMAKAWA: Why don't you proceed with your
experience with other referral sources, such as the State, or
possibly another minority employment agency you may have
used?

MR. KASSMAN: Surely. The State, we gave a lady
interview which you conducted yourself?

    MR. KASSMAN: I did conduct a portion of the
    interview, yes.

    COM. YAMAKAWA: Do you conduct most of your
    interviews, yourself?

    MR. KASSMAN: Yes.

    COM. YAMAKAWA: With this woman, whom you
    identified perhaps as not having been prepared properly, I
    take it your sense was that if she had been prepared
    properly, you would have hired her; is that a --

    MR. KASSMAN: That's correct. Actually, quite in
    fact, it came down to between her and another young lady.

    COM. YAMAKAWA: Wasn't it possible for you to
    simply explain to the young woman face to face what your
    expectations were?

    MR. KASSMAN: We did, that's why we asked for a
    second interview, based on that.

    COM. YAMAKAWA: Wasn't it your statement that you
    went back to the agency and told them?

    MR. KASSMAN: Yes. Well, went back to the agency
    and they related to her we would like a second interview.
    Also, we requested a second interview for the young lady we
    eventually hired, because we had 21 applicants, and out of
    the 21, we boiled it down to two.

    We called back the second interview, and
    specifically asked the Gay Employment Service, at that point,
    to speak with this young lady and explain to her what we were
    looking for and what we felt were her shortcomings at that
that we work with the State who also does this older
semi-retired people, which we use a lot when we get into
part-time work, especially around the Christmas holidays, and
she is very good. She calls on a regular basis.

For instance, with sales people, our commission
sales organization, we will put on sales people -- I mean, it
really doesn't matter. Right now we have four, but we can
use ten.

The better the sales -- Usually salesmen will
generate their own business. If she has somebody that she
feels will fit into our organization, she will automatically
call me and say, "I have Mr. So-n-so, and this is what his
qualifications are, and this is what he can do." And we will
interview that person, and if we feel that they have a place
in our organization, we will immediately hire them.

She is the best person to deal with.

The other person with the Jewish Vocational
Service, there is somewhat of a language barrier, so we can't
use a lot of people for sales, but we do use their people, in
terms of clerical, if we can, or if we are training somebody
in a piano area, in terms of rebuilding our service, then we
will ask for them, also.

COM. YAMAKAWA: What was the source of the black
male and the Chinese female you have on staff?

MR. KASSMAN: The Chinese female came from the
Oakland State Employment Office, and the black male came from
San Francisco Employment Development.

And, as a matter of fact, he qualified under the
City -- we were paid by the City of San Francisco CETA program for him. And, also, the Jewish Vocational Service Russian immigrant, was also on the CETA program at the time, through the City of Oakland, Alameda County.

(Commissioner Samuel Chung entered.)

COM. YAMAKAWA: Have you ever done anything consciously for the purpose of expanding your minority composition?

MR. KASSMAN: Well, yes in one sense. Approximately 40 percent of our business in the city of San Francisco, is from Chinese clientele. And we have consciously advertised in the Chinese dailies for Chinese clientele.

We also advertise for Chinese sales people, as well as in the Korean and Japanese paper for Japanese or Korean-speaking people. We have not been successful in that attempt.

COM. YAMAKAWA: Do you have any recommendations for us, for yourself, or as to other businesses on how minority work forces might be expanded?

MR. KASSMAN: Well, I think that it has a lot to do with the attitude of the owner of the business. When somebody comes to interview at our firm, we aren't looking at whether they are female or male or colored, the sex or religion they are. We are looking at whether or not they can actually fulfill the position.

And I mean it has to be the owner. The owner has to be open to anybody who meets the qualifications of the
position. And I think that the only way that that could ever be completely remedied, would be if every single position ever offered by any employer, had a specific job description and the job description was sent to the employment services and people were sent to fulfill that job description.

In our business, for every position we have, in my mind, we have a job description and we have an employment contract. And that's the way that we determine whether or not somebody will fit into that specific job description, if their qualifications are there. Then we choose the actual employee on the basis of how well we feel they fit the job description, or based upon past experience.

COM. YAMAKAWA: You mean past experiences in similar --

MR. KASSMAN: Similar situations. I'll say at this point, to be quite frank, because of our experiences with the Gay Employment Service, that if we had two equally qualified people, one coming from Gay Employment and one coming from either Jewish Vocational Service or the State Employment, we would choose, probably, one of the other two, as opposed to the Gay Employment Service, historically based on the longevity of the employee.

COM. YAMAKAWA: Thank you.

MR. KASSMAN: You are welcome.

COM. SEVILLA: Do you see yourself as an equal opportunity employer?

MR. KASSMAN: Yes, yes I do.

COM. SEVILLA: Do you have a statement of policy
regarding your non-discrimination?

MR. KASSMAN: Yes, we do. As a matter of fact, we -- last year -- that is another matter. We have an SPA loan, we are the, actually the first openly Gay company to ever receive a SPA loan.

Besides, we got that through Atlas Savings & Loan. According to the regulations of the SPA, we have to post, "We are an equal opportunity employer."

COM. SEVILLA: Have you ever considered implementing any form of affirmative action in your employment practices?

MR. KASSMAN: What do you consider "affirmative action"?

COM. SEVILLA: Where you are actually setting setting up opportunities to balance out your staff with representatives from various ethnic minorities in order to make sure that you are hiring for positions.

MR. KASSMAN: We feel that we are hiring the most qualified for the position available. And we felt that, in terms of our own interests -- well, we do that.

And first and foremost, I think the thing we have to be concerned with is the success of our business. And whether a person is a male or female, or Jewish or Catholic, or white or black, or Chinese, would have no bearing in our employment practice. We are hiring the most qualified person.

COM. SEVILLA: If after looking at your work force, and realizing that handle the white employees, would
you, if you had the opportunity, looking at employees of
color, if you found yourself in that predicament, dealing
with equally capable job applicants, would you take the fact
into consideration that your work force may be all one color
or another?

Would that be an issue for you to look at?

MR. KASSMAN: Let me see. Let me rephrase your
question and see if you are asking me what I think you are
asking me, because I think what you are saying to me --

The one black employee that we have now, currently,
you saying that if he left, would I consciously go about
hiring, specifically, a black man to replace him?

COM. SEVILLA: I don't think that is my question.

My question is if you found yourself without any
black employees, or without any Asian employees, or any
people of color, would you make a conscious effort to include
more people from different ethnic backgrounds into your work
force?

MR. KASSMAN: Well, what you are saying is that if
I found myself without a black employee, would I consciously
going after hiring another black employee. And my answer to
that would be no.

COM. SEVILLA: That isn't my question.

If you found yourself without any ethnic minorities
on your staff, would you take into consideration, and perhaps
to extend yourself beyond hiring only white people in your
employment? Would that become an issue for you, as an
employer?
MR. KASSMAN: It already is an issue, because we do have a fairly broad base as to what we do employ.

COM. SEVILLA: Is that by design or by consequence?

MR. KASSMAN: Both.

COM. SEVILLA: Thank you. You have answered my question.

MR. KASSMAN: Sorry.

COM. CHUNG: Yes, is there any restriction because you have a relationship with a union?

MR. KASSMAN: No, we do not have any union employees.

We are not a union house. As a matter of fact, in the United States, there are no union piano and organ stores. However, I will say that we do have, in terms -- we do all of the San Francisco Opera and San Francisco Ballet piano work, and we have had some problems because we are representing primarily a Japanese piano line, selling to the City and to various art organizations in the City of San Francisco, based on the fact that it is a Japanese product and not an American product.

CHAIRPERSON LYON: Are there any further questions for Mr. Kassman?

Thank you very much. Mr. Kassman, thank you.

MS. WINNOW: Thank you.

The next person to speak is Deborah Kelley, from Operation Concern.

MS. KELLEY: I'm always relieved when I get up here
that I can see over these things.

As Jackie has said, my name is Deborah Kelley, and
I'm -- well, I am Assistant Director of Operation Concern,
which is a mental health agency for Lesbian and Gay men and
their families, here in San Francisco.

It's a nonprofit community agency. And Carol
Mickens, who is the Executive Director, has asked me to come
here and share how we have been able to implement a pretty
affirmative action program, and also to offer any assistance
we can to groups who are also trying to implement such a
program.

We began operations in 1974, and it was started by
the Tavern Guild, which although right now we are not a part
of the Tavern Guild, they continue to be very supportive of
us and to work with us.

Our staff -- we have a paid staff of 15. We have a
volunteer staff of 20 clinicians. Also, a volunteer staff of
four administrative and eight students, which make about 48
people in our organization.

And of the paid staff, 40 percent of it are
minority. Of the clinical staff, 55 percent are ethnic
minority and three of the staff are disabled, and eight are
women.

And the reason why we insist on having a minimum of
50 percent third world, in the clinical staff is because the
student interns predominantly are not third world, and the
clinic volunteers predominantly are not.

We are, at this point, really working on that and
have in the past had third world interns. This year, we
don't. And we are working on, you know, expanding our clinic
of volunteers. It is a little harder to control, and
therefore, we have put extra effort into getting paid staff
from third world.

   Basically, you know, it is important that we have
to have paid staff that reflects the community that they are
serving. Of course, we have found the same -- as other
organizations have found -- that when you have third world
staff, your clientele becomes third world. And after we
hired more Spanish-speaking clinicians, our Spanish-speaking
clientele will increase.

   I have found, and I think since I do most of the
hiring, the agency has found that the most important
ingredient in getting an effective affirmative action
program, is an honest commitment to doing that.

   And I think with that honest commitment, then you
have the ability to sustain the difficult part, which I have
found the most difficult part in implementing a program, is
letting go of some of the efficiencies. And it's not
quality, it's not effectiveness, the program.

   And I think I need to stress that we have not to
let go any of our quality or effectiveness of the program,
but we have to let go some of the efficiency of hiring third
world staff. And it takes longer to recruit third world
staff. I have often had to extend deadlines.

   I had to have a willingness to -- what we have done
just recently, is hire someone temporarily to take a position
so we could continue to leave a position open, so we could
find a qualified third world clinician. We find that we have
at least ten non-third world people for every one who applies
for a position -- even when -- it's really interesting, when
we focus on the third world community and specifically, you
know, narrowing it down to the point where we already had
almost -- we are not trying to take any applicants that are
not third world and we still have so many more.

And I think that we have done -- I mean, part of
how we have been able to do it, I think, is our commitment.
We have worked for years on developing a resource list of
where to send job announcements. It's still, you know,
minimal. We still use your list that you sent out.

As a major part of that, we are also willing to
make personal phone calls, kind of a start like a network,
where we call, personally, people we know are either part of
a different ethnic community or have an in, and we call them
and tell them we have a job opening, and to let the word out.

I don't really know what more to say. I think it's
the effort, and to really let efficiency fail a little bit.
I think that may be a little harder for profit agencies, but
it depends on your commitment.

CHAIRPERSON LYON: Commissioner Morrissey?

COM. MORRISSEY: Could you tell me what you mean
when you keep saying "third world"?

MS. KELLEY: Ethnic minority. We use "third
world," as our agency, basically, because the minority
clinicians refer to it that way, Spanish, black, Asian.
COM. MORRISSEY: By "third world," you don't mean they have to be born out of the United States?

MS. KELLEY: No.

COM. MORRISSEY: You are using the term in the same way the Human Rights Commission uses it, used as not third world, but minorities?

MS. KELLEY: Yes.

COM. MORRISSEY: And women, too?

MS. KELLEY: Yes.

COM. MORRISSEY: I see.

CHAIRPERSON LYON: Commissioner Sevilla?

COM. SEVILLA: You talked about using a list from community agencies and your own list on the Human Rights Commission list. I am assuming those lists have ethnic organizations and community groups in the City?

MS. KELLEY: Right. We are more than willing to share that list, also.

COM. SEVILLA: Great. I guess I have one question about that. Isn't that, basically, the same -- I work for a nonprofit University, and every time we hire somebody, we basically crank out the same 'ol list and it seems to be almost word of mouth that you are getting your job out.

And I heard last week, when people testified, that a lot of their job seeking is by work of mouth. Is it your experience that word of mouth, if expanded beyond a small group, and perhaps into a larger group, including those ethnic minority communities and agencies that you have put on your list, that word of mouth can simply be expanded, and you
are actually meeting the effort of contact in various
minority groups? That it's perhaps easier to just expand
that group of people, and be able to get the word out?

MS. KELLEY: By "word of mouth," you mean --

COM. SEVILLA: I guess that's the way I am --

MS. KELLEY: It's hard for us to say what makes us
able to do that, since I not only send it to everybody and do
the word of mouth thing.

COM. SEVILLA: It takes both of those to get it
out?

MS. KELLEY: It does for us. We used to be able to
send out job descriptions and, of course, we got very little
back. Then we would extend the job thing, and people would
say "There's nobody out there, you shouldn't hire."
The staff rebelled. They said "absolutely not.
You extend the deadline." And we started to go extensive
word of mouth. So, I think it's word of mouth, and just a
willingness to call agencies.

And I have personally made phone calls and said,
"Did you get your job announcement?" So often our
receptionist gets it and sticks it in a book, and that's it.
So, I have often called and spoken with people to make sure
it's announced at their staff meeting and things like that.

COM. SEVILLA: What caused your group -- or got
your group to start looking at a larger contingency base in
attempts to find employees?

MS. KELLEY: Well, our clientele, for one thing.
San Francisco is, you know, 50 percent minority, so we -- I
don't know what you mean. Why did we start doing it?

COMM. SEVILLA: Why did you start doing it?

MS. KELLEY: Because there was a need.

COMM. SEVILLA: Did you then establish a policy because of that need, or did you establish a policy and then implement your policy?

MS. KELLEY: It's hard -- Actually, I'm not sure. I mean, when I came, it was just -- you know, maybe it was my training. You know, I don't know.

COMM. SEVILLA: When you first started out, sounds like you tried various ways to increase the number of applicants?

MS. KELLEY: Right.

COMM. SEVILLA: And build your pool of applicants to include minority applicants?

MS. KELLEY: Right.

COMM. SEVILLA: You used a variety of things, such as mailing lists, word of mouth. When you say "word of mouth," are you saying that you extended yourself into minority community groups in order to bring them into the fold?

MS. KELLEY: Right.

COMM. SEVILLA: And it took a little further extension of the word-of-mouth process?

MS. KELLEY: It did. It takes more. When we are speaking about, specifically, hiring, because if any job opens and was held by a third world person, we are going to simply hire a third world person. And it does -- it takes
more time.

COM. SEVILLA: But as you do this more and more and more, your process — even if it be word of mouth, becomes more standardized and you get to those communities?

MS. KELLEY: Right.

COM. SEVILLA: It is the issue of expanding the group you are appealing to.

MS. KELLEY: Yes. Basically, people are out there. And it is a matter of just getting the word out. Also, we found that you have to be very explicit on the job announcements, that you hire third world people, because just like for myself, as a disabled person, a lot of the time, if it is not really stated, it's just assumed it is not there.

I mean, agencies need to make that very clear on job announcements. I think, possibly, it was helpful for me to be disabled and understanding discrimination that comes from being disabled, and just applying some of those tactics for the same thing. I mean, they are not total parallels, but they are certainly related.

COM. SEVILLA: Would you say that, perhaps, if you didn't practice your extended efforts, that you probably wouldn't get any minority applicants?

MS. KELLEY: Right. I don't think so.

CHAIRPERSON LYON: Commission Yamakawa?

COM. YAMAKAWA: We heard, from the previous speaker, experiences with people coming from half-way houses, and substance abuse programs. Does your program have any job placement, or training component?
MS. KELLEY: Well, we have taken people from alcohol rehabilitation before and hired them, and worked on training them.

Basically, he volunteered for six months and trained, and really has proved to be excellent.

Is that what you mean?

COM. YAMAKAWA: No. I mean, as part of your service, do you have any placement component of your clients, is what I was getting at.

MS. KELLEY: No.

COM. YAMAKAWA: When you refer to yourself as a "mental health program," what services do you provide to your clients?

MS. KELLEY: We are an out-patient mental health agency, so we provide individual, group, couples and family work. And out-patient, meaning they come for, like, an hour or hour and a half for a group, once a week, twice a week, or every other week.

COM. YAMAKAWA: So, job placement is not one of the components?

MS. KELLEY: No. Although, we do referrals, so we have a book of job announcements in it for people, and the clinicians will help with some of that, if it is a clinical issue the person is working on.

Does that make sense?

COM. YAMAKAWA: Yes, thank you.

CHAIRPERSON LYON: Yes, Commission Morrissey?

COM. MORRISSEY: Some of the other speakers have
used the term "old boy network," or "old girl network," as useful in getting jobs.

You have used these -- you have used the term, and so has Commissioner Sevilla, "word of mouth." Is there a difference in your view of those two terms? And, if so, what?

MS. KELLEY: I'm not familiar with the other term, frankly.

COM. MORRISSEY: I see.

MS. KELLEY: Might be the same. I don't know.

COM. MORRISSEY: By "word of mouth," you mean talking to those you know, and letting people know?

MS. KELLEY: Yes.

COM. MORRISSEY: Thank you.

CHAIRPERSON LYON: Any other questions for Ms. Kelley?

Thank you, very much.

MS. KELLEY: You're welcome.

MS. WINNOW: Claver Canfell, please?

MR. CANFELL: Good day, Madam Chair, members of the Commission.

My name is Claver Canfell, and although I am not here to testify as a victim of employment discrimination, based on my skin color, obviously, I am intimately involved in -- and personally committed to, inter-racial relationships, and I can verify that racial discrimination in employment in Gay businesses in this city has had a personal negative impact on me. I would like to address two areas of
concern to me.

One, you have heard testimony from both the Golden Gate Business Association and the Tavern Guild, the two major bodies representing Gay businesses in this city. They claimed they have received no complaints from members or anyone concerning employment discrimination; bar owners claim that they cannot find any qualified minority workers; employers claim that their clients would object if people of color were employed.

I submit that all of these special claims are being made without any concomitant evaluation or subsequent proof; and that their use in the task of assessing institutionalized racism in Gay employment practices is completely inadequate and unjustified.

I urge you to examine them closely for what they imply, and since time does not permit further evaluation, I offer you for reference the excellent and detailed discussions in "Institutional Racism and Community Competence." In particular, Chapter 10.

Secondly, in these hearings, there have been several allusions to the role of the Gay press. I would submit that before BWMT, San Francisco, in this city, there was no visibility of people of color or discussion of their agenda in the Gay press, "enslaved to its advertisers," as Howard Wallace aptly put it.

Before February, 1982, when BWMT, San Francisco, released the results of its first survey of bar employment and patronage practices, there was no press evaluation of
hiring practices and policies or any discussion of efforts to
redress the imbalance created by the "Old Boy" network.
Since that time, the one major Gay newspaper in San Francisco
has been the only one to respond to BWMT, San Francisco's
efforts to raise these issues in its pages and has recently
hired a reporter -- who happens to be Black -- to help
redress the imbalance. And I want to commend them for that
and the reporter for his excellent coverage of the issues.

However, this paper, as well as all other Gay
newspapers in this city and across the country, continue to
portray only White employees in its pages and I have here a
dozen pages of examples of this enforced image of Gay
employees.

In both June and September, 1982 -- and not,
incidentally for the first time -- the above-mentioned
newspaper carried "Jobs Wanted" ads replete with racial
designation of Gay, white men.

In response to letters by BWMT, San Francisco,
members, the editor promised to take steps that "it won't
happen again". In March and April of this year, after the
February release of BWMT, San Francisco's Report on
Employment Discrimination -- and presumably in response
to it -- this paper carried sporadic disclaimer notices in
its "Jobs" column stating "Gay white male in a ad is usually
racist and against the law, especially when it applies to
employment or living accommodations" and lamely requesting
users to refrain from using it.

By July, however, this and other Gay newspapers
here were still displaying job ads requesting "Gay white
males." Then, subsequent to a meeting between the editor and
members of BWMT, San Francisco, in August, the paper again
carried a small, well-hidden disclaimer at the beginning of
all the ads stating that "The Bay Area Reporter will not
accept ads that are discriminatory in employment, housing, or
public accommodations." Given this and other papers'
history, what confidence can we have that this insidious and
abhorrent practice will desist, as a start to overcoming
racist employment discrimination in the Gay community?

I hope that this Commission finds more than the
obvious facts to be the case and extracts long-sought
evidence from Gay business owners who by their absence en
masse from these hearings either impugn your motives or
demonstrate their acquiescence to the charges made.

Thank you.

Commissioner Morrissey?

COM. MORRISSEY: You said you are right in that
you had, as I understand it in the beginning, that you had no
problem of discrimination. But you went on to say that you
had suffered the actions of the Gay community discrimination.

How would that happen?

MR. CANFELL: I'm personally involved in
relationship with people of color who find it difficult to
find employment in Gay businesses in the City. People who
remain unemployed.

COM. MORRISSEY: By reason of friends of yours
that are effected, and therefore, you are affected; is that
your point?

MR. CANFELL: Yes.

MR. MORRISSEY: Okay.

CHAIRPERSON LYON: Any other questions?

Thank you very much, Mr. Canfell.

MS. WINNOW: Mr. Michael Smith, from the organization, Quarterly Foundation.


I also publish and edit the "Quarterly," a Gay inter-racial and third world newsletter. And I appear tonight on behalf of that publication and the Quarterly Foundation.

Because I am a white man, I have a privileged position in society. I've done nothing in particular to earn that privilege -- indeed the many benefits of being a white man come so constantly, and so automatically, that I am rarely even aware of them.

I am aware tonight, though, that I can walk into any Gay bar or business and apply for a job, and have doors opened to me that are shut to most residents of this city, because I am a white man.

This inequity not only victimizes people of color, it victimizes me. It makes me the villain in a place that denies jobs to people of color and denies them therefore, other benefits of society -- housing, education, leisure.
And it leads, inexorably, to unrest.

Commissioners, that unrest is in this room tonight and it threatens the well-being of us all.

How did things get to be this way and what can we do about it?

When I was a youngster, growing up Gay in the 50's and 60's, the bars were run by white men. But, then nearly everything was run by white men. If you wanted to open a bar, to get a loan, to lease space, to establish credit with wholesalers, chances were, the white men who ran the other businesses, the bankers, the realtors, the liquor dealers, would help you out.

Being Gay wasn't an issue because you could hide it. What mattered in those days was your being a part of the white men's network. Ironically, the Bay liberation was born in those bars and Gay bar owners who put themselves on the line were our first heroes. Some of them are still active in the community and I salute them.

When the civil rights and women's movements came along in the 60's and '70's and challenged mainstream America -- A.T.& T., I.B.M., etc. -- and court case after court case began to break up the network, to provide for affirmative hiring and promotion, I thought the victory would filter down to the Gay community. Sadly, it hasn't. And I'm beginning to wonder if it ever will.

In an interview a year ago in "The Advocate," I was asked, "Why do you think things seem 'better' in the non-Gay community?" Let me be so presumptuous as to quote myself
from that interview:

"It would be a mistake to think that Gay and Lesbian people are somehow worse in this regard. I think, rather, it's the system. In the 'outside' world, the personnel director of, say, a large corporation can hire a black person and 'stick him somewhere.'

"It's impersonal. The other employees can't say anything and the black person is at least happy to get a foot in the door. Gay/Lesbian businesses are much smaller, often owner-operated. Hiring someone usually means working personally with that someone, accepting him or her as a peer.

"Don't get me wrong. I believe whites when they tell me they have no ill-will toward blacks. I've been there. They're just unaware of how a racist system is perpetuated.

"We whites live and work and play among other whites. We also hold all the cards. The bars, owned almost entirely by whites, are little more than an Ol' Boy network. Jobs are passed around from one white person to another."

I believe Jim Bonco, of the Tavern Guild, Art Lazere of the Golden Gate Business Association, and bar owner Toni Macante, when they tell me they bear no ill will toward people of color. What I don't understand is why they haven't seriously asked themselves the question that's being asked here tonight: Why are people of color not employed in our community? I feel compelled to set some records straight.

Both the Tavern Guild and the Golden Gate Business Association were first contacted well over a year ago, by me
personally. After the first bar survey was released a few members of both groups approached me about doing a workshop on racism. I outlined the idea formally in letters to both groups' leaders. There was no response.

Next, BWMT met with the Tavern Guild's executive board which, as you know, invited us to speak at one of their membership meetings. At that meeting, we addressed the issue head-on. We analyzed in detail the racially-closed shop they were running and offered to help them correct it, in any way they felt comfortable.

We asked for input. A couple of weeks passed. No response. We followed with a letter, a copy of which you have in your files. Again, no response.

With regard to the Golden Gate Business Association, it took us months just to get their attention. Initial letters were ignored. Finally, as Mr. Lazere testified, I made a presentation to their Board, on behalf of BWMT. I questioned the racially-closed shop their organization was promoting and offered to help in any way.

Their response: silence. In fact, it wasn't until two weeks ago at these hearings, that the Golden Gate Business Association and the Tavern Guild finally broke the silence. With a thundering whimper, those statements forbidding racism. Given the history of employment by members of these organizations, it is an insult to any thinking person's sensibilities to hear such hypocrisy in this forum.

With regard to racism in the Gay press, the
situation is varied. The Bay Area Reporter has demonstrated a sincere interest in issues of race and is gaining increased respect. Just how racist the press can be, though, was ably demonstrated by John Van Huesden, a White man, who wrote about these Hearings for the San Francisco Vector.

After listening two weeks ago, to four hours of testimony about racism in employment, he chose to headline instead, Commissioner Wade's offhand comment about racism in the press, and to suggest further, that the Commission itself seemed bored by the whole affair.

He reported too, that "no Gay white males are on the Commission." Apparently he has inside information about you, Mr. Morrissey, though he didn't explain why this was important. But then he didn't have to. We all know why that's important to him. He can't conceive of a fair hearing outside the "network." That's the kind of mentality we're dealing with.

Which brings me to the issue at hand: What can be done about employment? I can tell you what won't work.

It's not enough to be "open to them." We whites are forever bewildered that people of color don't stand in line waiting for us to "be open." It's a bit like the man who kicks his dog every day and then wonders why his pet avoids him.

It's not enough either to go through channels. First of all, denial of employment because of race is difficult to prove these days. I mean, how many employers are brave enough to admit their own racism?
But more importantly, homophobia is still so much with us that there's little support for Gay persons of color. There aren't too many Gay men or Lesbians -- regardless of race -- who can expect sympathy from their families when they're denied a job in a Gay bar. And the questions and the stares that come with filing a complaint through a city agency. I avoid mainstream society's homophobia whenever I can. I suspect most other Gay people do the same.

No, what's needed is a comprehensive program for ourselves by ourselves. The people in charge, the Jim Bonco's, the Art Lazere's, the Toni Macante's, need to establish a program of training, hiring, and promoting which will actively involve people of color. After all, how many white people came to their first bartending job skilled in the trade? Some interested white person took them aside and helped them out.

Couldn't we make the same minimal gesture for the people of color we've victimized so long?

One business leader I know, was skeptical of such a program, saying that while he as all for affirmative action, he couldn't conceive of his organization's going along with it. He said he was "stuck" and didn't know a way out.

I know a way out, a simple way out. Either you go along with the crowd, or you recognize that something greater is at stake, and you say "no" to the crowd and become a better human being.

We Gay people in this room, have all said "no" to the crowd, at least once in our lives. We're capable of
doing it again. For, surely if there is no affirmative action, I can guarantee there will be negative reaction. And each one of us will either be part of a solution, or part of the problem. There is no in-between.

And let me first suggest a preliminary step. It's an easy, powerful one.

Jim, Art, Toni, and all the others, you need to examine what society has taught you about race. You need to summon what it takes to say, "I was brought up in a society that is racist, sexist, ageist, and homophobic. But I don't need to own any of those attitudes anymore."

You need to reject the villainous role society has assigned you and that you've so slavishly accepted. You need to admit a simple truth and say, "Yes, there is dramatic underemployment of people of color in our community. Where do we go from here?"

You will suddenly "come out" again. You will liberate yourselves. And from such liberation will come the rest.

CHAIRPERSON LYON: Thank you, Mr. Smith.

Are there any questions?

COM. MORRISSEY: I have a question.

You make a very eloquent statement, and I gather from what you have said that you commend -- or you would commend the Human Rights Commission for holding the Hearings and giving, in that sense, publicity to your efforts.

But, I gather also that you are saying effort has to be made now, within the community, itself -- meaning the
Gay community, I understood. I didn’t get anything from you as to what is the next step, if any, an institution such as the Human Rights Commission might accomplish, if anything?

MR. SMITH: First of all, I reserve my commendation for the Human Rights Commission when the work of the Human Rights Commission has been completed to the full extent of its authority.

All right. I’m very pleased, obviously, with the fact that these Hearings are being held. But I learned, long ago, not to be satisfied with just a pat on the back.

What is the extent of your authority? Only you know, and it actually comes down to a personal situation of consciously, again, to what extent you intend to be either part of the solution or part of the problem.

I think a great deal a part of the solution is in your hands, in terms of publicity given to these Hearings and in terms of what impact it might have on officials in this city.

But that remains to be seen.

COM. MORRISSEY: Well, thank you for what I think is interesting, but very limited help. But I appreciate your statement.

MR. SMITH: All right. Maybe I haven’t answered your question. Is there a specific way you think I am withholding —

COM. MORRISSEY: No, you may not have anything to do. I realize, maybe to the extent you may not have the relative impotence of the institution —
MR. SMITH: Right.

COM. MORRISSEY: By that I mean the Human Rights Commission.

MR. SMITH: Yes. Indeed, this whole thing may be an exercise of utility.

COM. MORRISSEY: But we do have power of holding the Hearings and getting people together and having publicity.

Beyond that, we don't have much power, you might say, but how can anybody do anything in this particular area?

MR. SMITH: If the unrest that I mentioned occurs in the City, and if there are demonstrations occurring within the Gay community, which leads to crowd unrest, which lead to the police coming in, which leads, maybe to broken windows, whatever else may occur, then the question may come back to the Human Rights Commission.

I suppose somebody -- the powers that may be, will say "Why has it gone this far?" And to what extent could the Human Rights Commission have contained this? Of course, you know your own mechanisms far better than I do.

And I don't know what the answer would be to that question. My understanding is to indeed provide a forum where people can share ideas and hope.

COM. MORRISSEY: That's right.

MR. SMITH: Hopefully, there will come a meeting of minds. I would like to see that, as I mentioned.

COM. MORRISSEY: Thank you.

CHAIRPERSON LYON: Yes, Commissioner Chung?
COM. CHUNG: I guess you are considered as white, I guess, Caucasian.

I wanted to know what made you interested to speak for third world and colored people?

MR. SMITH: I would like to think it was an altruistic gesture on my part.

Actually, it comes out of my own actual sexual orientation, for one reason. I don't know why I am Gay, and you don't know why you have the sexual orientation you have.

There is also an element of racial orientation within my personal makeup that -- perhaps, this question was asked of the last speaker. And I have a feeling he could have added more. It's extremely difficult for a well-meaning white person to enter into an inter-racial relationship that's on a peer basis in this city.

I would say, ideally, as perhaps all of you like to have a companion in life who makes the same kind of money I do, that has the same kind of background and really has the same kind of power in the community.

I don't want to be any leader -- or follower in the community, but because of institutionalized racism in this city, and county, it's difficult to find a relationship like that.

So, I am deprived personally, of the benefits of an equal society, because of racism. So, regardless of how this is affecting people of color, it also affects me.

So, I have a personal, vested interest in this issue, as well.
COM. CHUNG: Another question is that, as you eloquently pointed out, some of the problems that exist within the Gay community history, as to discrimination of the minority hiring, doesn't it say, more interestingly, for us, to know that statistic, in order to cure these problems. What possible role -- you know, solution, you suggest, you know -- what would you suggest?

MR. SMITH: Ideally, of course, what I would like to see -- as I mentioned, an affirmative action program within the powers of the Gay community, probably within the Golden Gate Business Association and Tavern Guild.

Given the history of civil strife in this country, it seems almost, you know, illogical that none of those organizations would realize the easiest way out of their own dilemma, on a human level, is being more human, and becoming aware of the sensitivity of ourselves.

We simply must become better humans, on a personal level, as well.

COM. CHUNG: Is there any example that can be workable, possibly?

MR. SMITH: I don't know how much skill it takes, for example, in a Gay bar to stand at a door and check I.D.'s or stand behind the bar to dip glasses in the water and make sure they are clean, or indeed pour drinks and indeed in a beer and wine bar, to open bottles. Unfortunately, if you were to go down to the Castro area tonight, for example, the 100 or so Gay bar employees tonight, you would be pressed -- extremely pressed, to find even one person of color there in
the city where the so-called majority, that is white people, as the opposite of minority, not even the majority in this city.

COM. CHUNG: Thank you.

MR. SMITH: Thank you very much.

CHAIRPERSON LYON: Thank you.

MS. WINNOW: The next person to speak is Ruth Hughes.

MS. HUGHES: Madam Chair, Commissioners, members of the press, and sisters and brothers, as Jackie said, my name is Ruth Hughes, and I am currently working in a program which provides service and advocates service for the rights of sexual minority youth.

In this capacity, and already an activist for the past decade, I have stepped from the shadow of silence to speak out against mediocrity, complacency and status quo of institutionalized homophobia racism and anti-systemic and anti-culturalists.

I think I know what discrimination is. Now, ordinarily, I try to discourage people from making assumptions about me, however, for the sake of making my point, I ask you to assume that as a short, sometimes overweighted, opinionated, Lesbian, vegetarian, articulate, visible, over-40, black and American woman, I know what discrimination is.

I speak to you tonight with spirit of ultimate concern for the current and future integrity of the Lesbian and Gay businesses.
I do not believe that the attentions which exist in the Lesbian/Gay community are between people of color and white people, but instead between the understanding of justice and injustice, the understanding of a need for affirmative action within our community.

Four years ago, I was employed in a Lesbian/Gay employment agency. That employment agency no longer exists. To my knowledge, it was the first Lesbian/Gay employment agency in the country. We were professional, and the people that we interviewed were profession. And we certainly attempted to prepare them, in a professional way, for employment.

Most of the contacts that I made were by telephone. Often, I never came face to face with the employers. I can tell you that during the two years that I worked there, I was told such things as, "Don't send me anyone too Nelly; don't send me anyone Chinese, because they're too pushy; don't send me anyone black, because we have a certain kind of clientele here, and that wouldn't do."

Always, in these situations, usually when I picked my telephone up, after I had thrown it across the room, I was -- I felt at the mercy of the employer and needed to keep the client's need for employment in mind.

Usually, these indignities went unchallenged.

What I did, instead, was to inform the client of what to expect, and try to fill the referral with someone who hopefully would not be subject to such lack of justice or such a lack of affirmative action.
The employers who made the statements were either Gay-identified or Gay.

Martin Luther King said, just before his now-famous march in Montgomery, "When oppressed people willingly accept their oppression, they only serve to give the oppressor a convenient justification for his acts."

As sexual minorities, as Lesbian/Gay owners, they are no longer willing to accept indifferences, mediocrity, verbal abuse and social ostracism or employment discrimination, because they're Lesbian/Gay.

I feel, therefore, that we must find justice, light, and respect for each other, of people of every ethnic, cultural experiences who share common sexual orientations.

We must work on two fronts. On the one hand, we must continue to resist the systems of institutionalized homophobia and, two, systemic racism and anti-culturalism, which are the basic causes of your lagging standards.

And on the other hand, we must work constructively together to improve the standards, themselves. We must maintain resolution to stand firm on our convictions to attack the causes, and heal the effects of injustice in the Lesbian/Gay community.

Thank you.

CHAIRPERSON LYON: Thank you. That was well-stated.

No questions? All right.

--- MS. WINNOW: The next person to speak is Dion Sanders.
MR. SANDERS: First of all, after hearing some of
the comments concerning the Bay Area Reporter, and myself, in
general, I sort of feel like the guest of honor at a Fryer's
Club Roast.

Madam Chairman, members of the Commission, ladies
and gentlemen, I stand before you tonight as a newswriter for
the Bay Area Reporter, the oldest and largest Gay newspaper
in Northern California.

I am also the chief San Francisco correspondent for
the Gay Press Association, National Wire Service. I am a
12-year veteran journalist, having written for United Press
International, the New York Amsterdam News, and the now
defunct Long Island Press.

Exactly five months ago tonight, I became the BAR's
first black news reporter and writer. Besides myself, there
was one other person of color, who writes for the paper, a
Latino, by the name of Jerry Grechjo, who was the paper's
music critic.

With the exception of the monthly Gay publication
coming up and the possible exception of the Boston Gay
Community News, I know of no other major Gay publication
anywhere in the United States, that has a staff reporter, or
a regular contributing writer who is a Gay or Lesbian, and
person of color.

In the late 1960's as city after city was rocked
with race riots, mainstream white daily newspapers and
broadcast outlets found themselves unable to send
reporters -- all of whom are white -- into black
neighborhoods because the reporters were seen as tools of the
white establishment and, therefore, became targets of
violence.

So, these new outlets began, however grudgingly, to
employ black reporters to go into these areas where their
white colleagues could not go. Moreover, because they were
black, these reporters sent back stories that showed a far
greater sensitivity to the anger, hopes and fears of black
people, than their white colleagues could ever do.

Now, almost two decades later, I feel that I am
doing almost the exact same thing as the Gay Press.

On the one hand, I'm very proud of what I have
accomplished at BAR in just five months, and I am also proud
that I have an editor and publisher who are willing to back
me up when the going gets tough.

I must report to you tonight that the BAR has
received several crank phone calls and crank letters in the
past two weeks, having attacked me and attacking the paper
and daring to break the color line in the Gay news community.
So, I must be doing something right.

On the other hand, I am not happy in being the only
Gay reporter in the Bay Area who has consistently covered
third world Gay news and features on a regular basis. You
have before you, Commissioners, a package that contains only
a small fraction of the many articles of the Gay people of
color, that I have written in the past five months, including
a front-page story on the first Hearing before this, two
weeks ago.
There are also enclosed, copies of another Gay publication, the San Francisco Vector covering that hearing. And upon a close reading, you will find two radically different stories.

I had hoped that my writings in the BAR would spur its competitors to also pay attention to Gay people of color, on a regular basis.

Last, I must report to you tonight, that has not happened. Indeed, speaking as a journalist, I find it disgusting that John Van Heusden of the Vector would make an issue of the fact that "there are no Gay white males" on the Human Rights Commission."

When you consider the fact that his publisher, Paul Hartman, objected to the heavy third world press on the Lesbian/Gay Advisory Committee, last year, and campaigned to have it abolished, it comes as no surprise to me.

I also find it outrageous that he would raise the fact that some of the Commissioners would leave the first hearing early, when he, himself, appeared at the hearing one hour and ten minutes late.

I'm not one who easily uses the term "racist" to describe such a person who is a racist, who is Ku Klux Klan, or Nazi, but I dare say that tone of Van Heusden's so-called news story seems like advocacy for white supremacy.

I hate to say that, but it is hard for me to escape that conclusion.

As to the Centennial, there was no coverage of the Hearing at all, except for a brief item in Randall Alfred's
column. I might add that Mr. Alfred was at the Hearing as a
representative of the Centennial. In point of fact, the
Centennial, has followed the old axiom, if you don't have
anything good to say about anyone, don't say anything at all.

The Centennial, the Vector and the California
Voice -- the latter two, by the way will merge into a single
weekly paper next week -- have almost totally ignored Gay and
Lesbian people of color.

A case in point, on August 6th, after much lobbying
by Gay activists, a Lesbian speaker was included in the rally
in Washington, D.C. commemorating the anniversary of Dr.
Martin Luther King's march on Washington.

Except for a story that appeared in Coming Up, in
two front-page stories by yours truly, was the only newspaper
in the Bay Area -- in fact, the only newspaper in the Bay
Area to have covered that aspect of the event, including all
of the West Coast.

Moreover, I was only one of three reporters in the
entire country who investigated the fact that it took black
Gays and black Lesbians to get that speaker included, and
that the speaker herself, Audre Lorde, was a black Lesbian.

The other two reporters were Kim Kaserri of Coming
Up, a correspondent for the Gay Community News, whose name I
can't remember offhand. The Centennial ran nothing. The
Voice ran nothing. The Vector ran nothing. And that was
September.

Since that time, those three papers have run
virtually nothing about Gay people of color. I, therefore,
must submit that these three newspapers, especially the
Centennial, don't give a dam about Gay people of color.

I single out the Centennial, because, ladies and
gentlemen, I once worked for the Centennial and was, pardon
the expression, black-balled from it by the publisher,
William Bordell, more than a year ago.

In fact, if I would be allowed, I would like to say
Randy Alfred was the editor of the Centennial at the time I
wrote for it, and shortly before I was black-balled, Mr.
Alfred was fired as editor by Bordell. I don't know whether
I had anything to do with that.

Now, the first amendment prohibits this Commission
or anyone else, from dictating to these newspapers, their
editorial policies. Therefore, as a 12-year veteran
journalist, I hereby issue a challenge to the Gay media and
to my third world Gay and Lesbian brothers and sisters, I am
growing weary of being the only third world Gay news reporter
in the Bay Area. I want to see more of us in the Gay media.
Not just in the BAR, but also in the other papers.

I am tired of reading only about white Gay men in
Gay newspapers. I am tired of seeing photos of only white
Gay men, not only in the newspapers, but also in magazines,
television, the mainstream papers.

And I want to see more coverage of third world Gays
and more coverage of Lesbians of all races in the Gay media.
And I don't mean that as a passing fad, because there are
some among the BAR's readers who believe that coverage of Gay
people of color is a passing fad.
Well, I want to state very clearly that as long as I am a part of the paper, that coverage will continue.

In my very first article for the BAR, last June, I wrote that 1983 would be a turning point in the standards of Gay people of color. Now, I cannot take all the credit for that turning point, but my prediction has indeed, come true.

We, who are Gay or Lesbian, and who were not born Caucasian are here. We are not going away. We will no longer remain invisible.

Thank you.

CHAIRPERSON LYON: Thank you, Mr. Sanders. Since you brought up Mr. Van Heusden's article in the Vector, and since it was also brought up previously and since the Commissioners now have copies of that article, I think that I need to set the record straight, in that the quote that comes at the end of the article, attributable to me bears no relationship to anything that I have ever said.

Somehow or another, it seems that the people who write for both the Vector and the Voice, have never managed a quotation with my name attached to it, as anything that I ever said or did, or whatever.

So --

MR. SANDERS: I would like to point out to the Commissioners, that the Centennial is also up for sale.

CHAIRPERSON LYON: Are there any questions for Mr. Sanders? Grant?

MR. MICKINS: I never ask a question.

CHAIRPERSON LYON: Ask a question.
MR. MICKINS: During your career as a newspaper reporter, has it occurred to you to write about the total absence of minorities in most of the Gay places, prior to the Black and White Men Together Task Force Report?

MR. SANDERS: Well, first of all, I want to clarify that I have been writing -- this is the first time that I have been in a Gay publication. All of my previous experiences had been in non-Gay publications.

In fact, in the case of the New York Amsterdam News, it is a black publication. Hopefully, by the end of the year -- I'm in the process to negotiate to extend my reporting network to the Sun Reporter, which is the principal black newspaper here.

Now, in direct answer to your question, my emphasis on reporting of Gay people of color had much to do -- well, it's directly related to my own coming-out experience. I have been out of the closet only for three years.

In fact, I have been a resident for just a month shy of two years. I am originally from New York. And it was my idea on covering Gay people of color, chiefly because when I first arrived in San Francisco, I was as much -- I was even more dumbfounded by the sight of inter-racial couples, both Gay and straight, openly in the City, than I was about the freedom of Gay people.

And yet in Gay newspapers, magazines, motion pictures, television, and in businesses up and down the Castro and Polk street, the total absence of Gay people in business, I must say to you that this experience has, in a
way, not only -- is an experience for me, personally, as well as an experience for the Gay community, because in a way it comes back to my rights -- comes back to where I came from.

And the fact that I am able to do that reporting of the news, in the atmosphere of my freedom to be a fair person, is an experience that I will treasure. And I must admit to you, when I graduated from high school, a journalism major, 11 years ago, I had no idea I would eventually be writing for a newspaper.

Does that satisfactorily answer your question?

MR. MICKINS: Partly. At least, you didn't see the problem; is that what you are saying, until, perhaps --

MR. SANDERS: Well, actually, I began to see the problem even before I left New York. The situation here in San Francisco, as bad as it is, is nothing compared to New York, because in New York -- if I may add for the record -- the New York chapter of Black and White Men Together -- and I reported this in the current issue of the BAR -- recently reached -- now, that's last week -- recently reached an out-of-court settlement where a Gay bar by the name of The Union Club, which is located in Greenwich Village, there was a settlement of the complaint that the New York BWMT chapter had filed with the State Division of Human Rights, and the New York State Liquor Authority. One week ago tonight, The Union Club went out of business.

Last spring, the New York BWMT chapter reached an out-of-court settlement with Ice Palace, one of New York's largest Gay disco.
Incidentally, both of these cases involved discriminatory admissions policies of patrons.

Shortly after the settlement with the Ice Palace was reached, that institution also went out of business.

I have learned, subsequent to that, much to my shock, that both those establishments are owned by persons who had connections with organized crime and were organized crime, and that -- I don't want to make light of that situation, other than the fact that I just hope that some of the New York chapter members be somewhat more careful in their investigations, because coming from New York, it's no secret to me, anyway, and it is no secret to anyone who is familiar with the Gay scene in New York, that almost half of the Gay businesses are controlled by the Mafia in New York.

MR. MICKINS: Thank you.

MR. SANDERS: Any other questions?

CHAIRPERSON LYON: Commissioner Chung?

COM. CHUNG: Why do you think the New York Gay Press went out of business? What were the reasons?

MR. SANDERS: Well, it's my theory -- and there is no way I can prove this -- but it's my belief that whoever held the ultimate control of those establishments was so hell-bent on keeping out persons of color from either patronage or employment that they would rather have that business shut down, than to obey the law.

And in fact, the business -- the Ice Palace shut down, rather than obey a ruling by a State Court Judge that found the Ice Palace guilty of violating the State and
Federal Anti-discrimination Laws.

At the same time, BWMT was preparing to -- had sought to have the Ice Palace stripped of its liquor license. Perhaps this Commission may be limited in its authority to enforce state and city discrimination laws, however, the Alcoholic Beverage Control Commission has rather strong powers, and so does the State Fair Employment and Housing Commission.

The New York chapter of BWMT had to resort to going to court. I am hoping that it doesn't come to that here in San Francisco.

COM. CHUNG: I have another question.

According to what you have said, you are the contributor of the newspaper?

MR. SANDERS: That's correct.

COM. CHUNG: Do you get as much coverage as you like to have in the paper?

MR. SANDERS: In the five months that I have written for the Bay Area Reporter, the only editing that has been done out of my copying is more or less editing errors, and also space limitations.

COM. CHUNG: I see. Although you want to have more coverage, as much as you want to cover for the minority Gay people, you still don't get the --

MR. SANDERS: Oh, no. No, I'm not saying that at all. In fact -- the fact that my report on the first Hearing was a front-page lead item, I think that says something about the Bay Area Reporter, at least.
COM. CHUNG: Okay.

MR. SANDERS: Thank you.

COM. SEVILLA: I have a question. Would you say that your success story at BAR is an example of an industry or business that attempts to bring minority people into fold?

MR. SANDERS: I must say, since I started at the BAR other newspapers, particularly those on the East Coast, have made, at least, some effort to increasing their coverage of Gay people of color. Particularly the Washington Blade and the New York Native.

The Washington Blade should come as no surprise, considering 80 percent of the population there is black.

About two months ago, the New York Native ran a special supplement on Gay life in Harlem from the 1920's to the present.

COM. SEVILLA: Prior to your arrival at the BAR, because the BAR had an absence of minority reporters, did you approach them?

MR. SANDERS: It's a long story. But to make it short, about a year ago, Paul Lurch was the editor of the Bay Area Reporter, conducted classes in creative writing, specifically for Gay journalists. It was part of the San Francisco Community College project.

The classes were held at the Everett Middle School, and I was a student in his class for about two semesters. After which time, I eventually joined the paper. During the time I was a student, I would add, that I was a frequent writer of Letters to the Editor of the BAR
addressing third world Gay issues.

COM. SEVILLA: So, the fact that you were hired has something to do with the fact you were third world?

MR. SANDERS: It may also have to do with the fact --

COM. SEVILLA: That you are a qualified reporter?

MR. SANDERS: Yes, of being a 21-year veteran.

COM. SEVILLA: I am just curious. Those two issues couple with each other. I mean, there are plenty qualified writers in the world, at this time. Do you think it was just consequence that you were brought into that paper, or do you think it was actually a part of their identifying need to bring people in to represent more of the community?

MR. SANDERS: Considering what's happened in the news since then, yes, if you are -- if what I'm gathering you are saying, it was a matter of being at the right place at the right time, yes.

COM. SEVILLA: It wasn't just a fluke that, perhaps, they might find a person of color to start writing about issues pertaining to the minority communities; in fact it was some value in bringing someone in who could do that and, perhaps, present an area of the community that couldn't have been discussed before -- certainly not by people of color -- to talk about their communities?

MR. SANDERS: Yes. As a matter of fact, Paul Lurch mentioned in his conversations that coverage of Gay people of color was an issue that the BAR had been deficient
in, and he was quite blunt about it. And it was an issue in
which he felt it was time to do something about it.

COM. SEVILLA: So, you actually became sort of a
supplement to their current staff and brought yourself in as
an opportunity to, perhaps, widen their scope of readership
and dealing with other people's needs, other than the current
readership?

MR. SANDERS: Yes, I might have -- whatever people
might think about my coverage in the BAR, it certainly hasn't
hurt circulation.

COM. SEVILLA: That is the next question.

Aside from the bomb threat -- or fire threat,
whatever threats you received, threatening phone calls, so
you have any knowledge of the effect it has had on
readership?

MR. SANDERS: Well, when I started last June, the
BAR circulation was about 25,000. it is now close to 30,000.

COM. SEVILLA: You don't have any advertisers that
have dropped off because someone is writing about third world
issues, no major upheavals among the staff because of it?

MR. SANDERS: Yes. As a matter of fact, by my
influence, others are writing about it, George Mentle and
Arthur Eptertain, John Carr.

COM. SEVILLA: Can you tell me about your
challenge. Is it to other newspapers?

MR. SANDERS: It's to other newspapers, and also a
challenge to the third world Gay and Lesbian community. One
of the arguments that have been used by the editors -- not
just the Gay Press but also in the mainstream press -- has
been the line that they could not find enough qualified
non-white journalists to write for their various news
organizations.

I don't know just how valid that statement is, but
I can see that more Gay and Lesbian people of color, who are
interested in the news media, and at the same time are
concerned with their status in the Gay and Lesbian community,
should very seriously consider going into the Gay media, the
Gay Press, at least, here in the City.

COM. SEVILLA: You mean are there deficiencies in
all the Gay Press? It doesn't appear to me, as much of a
deficiency as other magazines. Through my own observations,
I have seen more third world writers. Can you account for
that, perhaps?

Do you have any sense of why that might be
happening? Or, is that a misperception on my part?

MR. SANDERS: The fact that the editor is a
Lesbian might have something to do with that.

COM. SEVILLA: Thank you.

MR. SANDERS: Thank you.

CHAIRPERSON LYON: Why don't we take about a
ten-minute break.

(Whereupon, a short break was taken.)

CHAIRPERSON LYON: Can we come back to order,
again, please?

Can we get on with the next speaker?

MS. WINNOW: The next speaker is Edward Martin.
MR. MARTIN: Good evening, members of the
Commission, ladies and gentlemen. I will try to speak
louder. I probably won't be as eloquent as some of the
preceding speakers.

I would like to talk a little bit about employment
discrimination that I experienced in San Francisco several
years ago.

I moved to San Francisco in December of 1978, with
an extensive background in education and counseling.
However, prior to moving to San Francisco, I had a second job
for about a year and a half as a waiter and a cook and
manager in a Gay restaurant in the Mid West.

In August, 1978, I took a job as a cook in a
kitchen at a large Castro area restaurant. At the time I
began to work, I shared with the management that I had much
more experience as a waiter, and when they had an opening on
the floor -- the term we talk about as a waiter -- I would
like to be considered.

During the next few months, I developed an image at
the restaurant as a good, reliable worker, and I was
frequently asked to work on the big weekends, because I got
along with the waiters, and was not a problem personnel. I
had never missed any time for drinking, and had a good
employment record.

I repentatively inquired about openings for waiter
positions and was told first that there were no openings, and
I was told because I was such a good kitchen worker they
would need to find a replacement before I would be
transferred to the floor.

However, during the next six months, numerous inexperienced waiters were hired, all white, and additional cooks were hired, and none of these were replacements for me.

Becoming frustrated, I volunteered to work as a waiter on days off, and the management told me they would consider it. I heard nothing about that for the next couple of months.

In frustration, at one point, the Gay rights division of the ACLU had an advertisement, and they learned I was considering filing a complaint concerning their refusal to move me to the outside.

And I will ad lib here. One of the things, the cook that was making about $36 a day for an eight-hour shift, with tips, a waiter would make somewhere between $75 and $100 a day.

Once they learned I was considering a complaint, I was moved to the floor two to three days a week, and I cooked two or three days a week.

In May of 1979, I left the restaurant to take a contract position, more related to my formal training and work experience. When that contract ended in late 1980, I reappllied to the restaurant and I was told by one of the owners that I had an image as a trouble-maker, and I was placed on the list for future openings and substitutes.

This came as a surprise to me, because when I had left the job in May, 1978 for the next month, they had called me to serve as a substitute waiter, cook and cashier. So, if
I was a bad employee, as the owner said, I don't know why they continued to call me back.

About the time I worked there, the assistant manager of the restaurant was in charge of the waiters, while the manager of the restaurant was in charge of the remainder of the personnel. When the manager left the employ, I ran into him six months later. He verified my suspicions that my being a problem, that I had insisted that I be given consideration to being a waiter.

At the same time, I reapplied at the restaurant, I was told by a friend, that the then just-opened Hot 'n Honky, needed experienced cooks. I called the restaurant and they requested that I come the next day when the owner was there because they needed cooks immediately, and he may hire me on the spot, as I then had over a year's experience.

When I arrived, as planned, the owner told me that there must have been some mistake, and there were no openings. And he did not offer an application.

During the time that I worked at the other restaurant -- that is not in the written statement here -- I also was -- I attended Alphy's, which is a Gay disco, formerly in the Castro. This was owned by the same company that owned the restaurant.

At that particular time, Alphy's was probably the best-known disco in the Castro area and they were in need to have some people to work the door and coat check. And I said to the manager if they needed someone, I would be willing to work several nights a week.
That comment was fatefuly ignored. So, during
that year I was in San Francisco working in the Gay
community, although I think I was employed by the
establishment, it was clearly a job in the kitchen, and only
after much stringent effort and a threat of a suit to be
consider putting me on the floor as a waiter, even though I
had more than a year's experience as a waiter in the Gay
establishment.

I will stop there.

CHAIRPERSON LYON: Yes, Commissioner Morrissey?

COM. MORRISSEY: I would like to get your opinion
as to why you think there was this discrimination? What
comes to my mind, is whether or not the person had the
opportunity to give the job — I guess the boss — was
himself, biased, and didn't want any blacks around, or
whether it is because he fears that if he had a black in a
visible position he would lose patronage?

Which do you think is the most significant reason?

Maybe a third reason?

MR. MARTIN: Okay, my opinion, it was both. The
company changed hands when I was there. This was at the time
I was employed there. There were probably 60 employees.
There was one woman who was a waitress and one black man who
had been there for a number of years, and he was on the
floor.

And they kind of worked him odd shifts. There were
a number of blacks in the kitchen as runners and so forth.

So, the company didn't have any discomfort of
having any blacks behind the sink area --- dishwashers, that
sort of thing. My sense of it only was the manager ---
assistant manager who was responsible for the waiters,
probably was discriminatory. By that particular time, the
image of "hot" was 29-inch waist. I was closer than I am
now.

Working under the slim, very stereotype, typical
white Gay image, and at that particular time, the restaurant
was into maintaining that image among the employees. The
employees, at that time, wore 501 Jeans and Look-out shirts.

I think part of it was the company's image. When
blacks, were coming in, they were the people who didn't fit
with that particular restaurant, so I think it both the fear
of the business and people not being responsive to black
waiters.

When I went on the floor, interestingly enough,
because waiters always compare tips at the end of the shift,
I made more in tips that the other waiters did, usually on
the same shift. So, it did not hurt their business.

I have a master's degree, am real personable, and
since then, I have gone to the restaurant periodically, maybe
once or twice a year.

They have one black woman as a cashier, and to my
belief there have been no other black waiters since then.
And this is a large company that owns different restaurants
and establishments in the City.

CHAIRPERSON LYON: Yes, Commissioner Chung?

COM. CHUNG: I guess you have been rated as a
trouble-maker, as you say, and isn't that because you wanted
to shift from the one position to the other?

MR. MARTIN: Yes.

COM. CHUNG: Were you motivated by the more money
involved?

MR. MARTIN: More money, easier work. I had more
experience as a waiter. I'm by nature an extrovert,
outgoing. I think I am personable. I think that is proven
in my current position. And during the entire time of
employment there, I was frequently complemented on being such
an amiable personality, in terms of I got along very well
with the other employees.

When I was on the floor, I got along well with
the customers, and so forth. During the period of time I
worked there, I was never on probation as other employees
were, either for the use of alcohol or drugs, or not showing
up.

So, I mean, the only reason I could be labeled a
trouble-maker would have been the fact that I was insistent
that I at least be considered to move where I could make
twice as much money. which in order to do that, required
being more visible, required not having the white cook's
uniform, and being on the floor.

COM. CHUNG: Don't you think you are better off
sticking in one trade, rather than doing two trades?

MR. MARTIN: It was their decision. I would not
take the two on at once. They kept insisting I was such an
efficient worker in the kitchen, they couldn't relieve me
full-time. But if I had a choice of $4.50 an hour as a cook, with tips, making $10.00 an hour, then my choice would be to go to the floor.

So, I wasn't satisfied, being a cook and making half the money.

COM. CHUNG: Could you state, precisely, why they do not like, as employers, they do not like to hire black waiters, than white waiters?

MR. MARTIN: I think as precise as I can make it, is the image of being a "hot Gay male," means to be white, muscular -- which I used to be a little bit more -- and that's the image. I pick up the BAR, in the newspapers, the image of the Castro clone is always white.

And this restaurant, at that particular time, and still is, very much into maintaining that image. Black, Latinos, Asians, don't fit into that image. And precisely, that's it. I mean, if you want to maintain your image as being a known establishment, and successful in business, you want to perpetuate the image, and the image excludes ethnic minorities as well as Lesbians and other women -- maybe heterosexual women, definitely a white male employee.

COM. CHUNG: Thank you.

CHAIRPERSON LYON: Yes, Commissioner?

COM. SEVILLA: From your own experience during that time, did you feel you were being discriminated against?

MR. MARTIN: Yes.

COM. SEVILLA: During that time, did you take any action to challenge that, or take any legal action to go -- I
mean to challenge that at that time?

MR. MARTIN: The only action that I took, I started, was that I did make a phone call to the ACLU, which has the Gay Division, and a member of the staff there learned that that was going to happen, and at that point, they decided then to reassign me to the floor.

It was only when they became aware that I was going to take some action -- at first, for me, it was moving to the City, and being patient, you know. I was just in the place. And at first, there didn't seem to be any openings. Then I kept seeing all these people that came in, were obviously -- half of them couldn't even read, hardly. Many -- I mean seriously. They were all cute. And they were coming into there.

And that's when I began to get offended. The first four or five months I would require, they would say there weren't really no openings, and there weren't. And all of a sudden, there were a lot of people showing up, and they would say, "He's substituting tonight," and he would be here one or two days.

So, there was a progression of the time factor that I said yes, they aren't really intending to employ me. And my personality style is to keep giving them additional options.

COM. SEVILLA: How did all of this make you feel?

MR. MARTIN: Like shit, if you want to know the truth, because I knew I was experienced, I knew I was capable. I was a night manager for the Gay restaurant, so I
knew I had the competency to do the job, and the personality to do the job. And so at that particular time, it was so frustrating for me, as I said, I even volunteered to work on my days-off in order to have them not lose my services in the kitchen.

At that point, when they didn't respond to that, I knew there was nothing I could do, and I really didn't feel cruddy about it. About a month after I became a waiter, because this is in the process of the same time, I did end up getting a professional position, so I opted out of it.

COM. SEVILLA: While you were into this, and doing this, did you discuss this much with your friends, the other minority Gay friends?

MR. MARTIN: Both minority and non-minority Gay friends.

COM. SEVILLA: What was their advice to you or feelings about what was taking place?

MR. MARTIN: A part of the advice was the fact that I needed the job, and so one makes choices, you know -- at the same time I was working there, I was also applying for other professional positions, and it took a while to get that.

So, some of my friends' advice was "Why don't you quit?" Well, I'm also a father and pay child support, and I wanted to continue my obligation as a father. I needed to get the money, so I didn't see it as an option to outright quit at that point, because I do send a considerable amount for child support for my children.
COM. SEVILLA: You have been sitting in audience
for the last couple of hours, and you can easily turn around
and see who is here. It is my estimate that there aren't
large numbers of minority Gay people in this audience.
Perhaps they hold the bulk of the group, percentage-wise. Do
you have a sense of why that is happening?

MR. MARTIN: Yes. I think part of the situation
often is complex. And that regardless of the findings, I
think the finding of the Commission here, I think people feel
nothing is going to come about.

And this is not a reflection of you. Many of the
bars and restaurants and Gay establishments don't take
applications. The jobs aren't advertised. And so, when you
do in to look for a job, a wall already has been established.

So, when, you know, why on a Monday night -- I came
into town -- I live out of the City now -- Why come in on a
Monday night for a series of Hearings when it may not have a
positive impact on your life? I think for some people, they
think it's an exercise of futility for them to come out,
because you become so accustomed to 99 percent of the people
who wait on you in bars and restaurants, and in the Gay
community being white.

And I mean, suppose this room was full. I mean,
would it make a difference at the Midnight Sun or the
Badlands, or a half a dozen other Gay establishments, or 75
other Gay establishments in the City?

The answer is probably "no."
COM. SEVILLA: If you have an opportunity to ask those owners, those managers, those bartender organizations, perhaps to promote hiring practices or suggest them, what would you want to tell these people?

MR. MARTIN: Well, I probably would say that a lot of people they find attractive, I don't. So, their value is on attraction rather than values of competency, is rather subjective, and it is to humanize. I feel that that's one of the things I would probably say to them, is to let your customers make a chance to make the choice of whether they can respond to having Gay bartenders and Gay waiters and Gay bathhouse attendants. And let's not make the choice for people.

I think one of the things I do know, is that some of the bar owners really feel that if they hire one or two ethnic minorities, all of a sudden, all of the blacks in town are going to come running over there to party. And so, a lot of that fear is that they don't want to have the image of maintaining another Pendulum, or probably black or racist establishment.

Or, the mainstream Gay line is hot, honky and white, and if they employ minorities, there is the fear they are going to lose the clientele. And therefore, even if they have replacement business, they are their customers.

I probably would say give it a chance, if they do, they made an effort to open up the ranks of their employees. There are not enough ethnic minorities to overtake all of their places, you know. So, as they en masse segregate or
discriminate, if they en masse immigrate, these remain the
same, as is -- as far as their clientele is concerned.

COM. SEVILLA: It is known, as a fine art, you
know, where to go. Thanks.

COM. CHUNG: I have another question.

CHAIRPERSON LYON: All right.

COM. CHUNG: What if you were denied the
employment, if an employer found out that you had adversity,
and some trouble, so forth, or something like that, they may
call your previous employer and say bad things about you? I
don't know whether that has been taken in effect.

MR. MARTIN: No, fortunately, I have a fairly
impressive professional vitality, but I don't need to use
that restaurant as a reference point for anything in my life.
And if I did, there are individuals who -- for example, the
manager of the restaurant who is no longer there -- I would
use him as a reference because I think he would give a fair
assessment of my skills as an employee, rather than me being
concerned with the fact that I charged that particular
establishment on their practices of minority -- or me,
personally, as a minority.

COM. CHUNG: So, your assessment was that your
previous employer gave you a good recommendation?

MR. MARTIN: I didn't use him.

COM. CHUNG: I see.

MR. MARTIN: My mainstream occupation is not in
the restaurant. And once I got back into the mainstream, in
terms of what my education and training, and so forth, is in,
it's not even vaguely related to that type of work.

    COM. CHUNG:  I see.

    CHAIRPERSON LYON:  David?

    COM. YAMAKAWA:  Can you briefly summarize your

occupational experience, since you left the restaurant
business?

    MR. MARTIN:  Okay. I'll do it very vaguely,
because I am up for permanency of a job that I have been --

Well, I'll go ahead and do it. Hell's bells.

    When I left the restaurant, I went to work in the
Mayor's office of Employment and training as an area
coordinator for the Summer Youth Employment Program. When
that contract ended, I was away for about three months,
because of funding, and was re-employed by them as a Manpower
Specialist.

    And I remained with them for approximately a year.

And I'm in the fourth year as a member of the faculty of a
college in the Bay Area.

    COM. YAMAKAWA:  Have you experienced, in these
other employment areas, the same type of attitude toward you
that you experienced in the couple of experiences that you
outlined?

    MR. MARTIN: No.

    COM. YAMAKAWA:  From your experience, both in
terms of your educational background, and your experience in
essentially the Manpower area, are there any thoughts you
would like to leave with us as to what we might do to help
things like this from recurring for other people?
MR. MARTIN: I would feel particularly -- in part from my Manpower experience -- than an organization, the Tavern Guild and probably GGBA, and perhaps others would establish a procedure by which they opening advertise and select the best qualified employee, regardless of race, sexual orientation or whatever.

As a Gay man, I demand of the straight community, that they not discriminate on certain grounds. And yet in the Gay community, those -- we're not following the same procedures that we expect others to follow with us.

But my recommendation, yes, why don't the Tavern Guild have an employment service? I mean, there are probably lots of competent bartenders and waiters who arrive in San Francisco, who are not a part of the network for two or three years, that can't get jobs either.

I think, not only for minorities, in all fairness, there is a need for jobs posted, applications given, which is not a common practice -- interviews given, and based on skills and competencies. People are employed that way.

I employ a staff of around 15 people. That is how I proceed with filling my vacancies. I don't get on the phone and call up people I met at cocktail parties and say, "Do you want a job?" That is the tendency that goes along here.

People meet at the bathhouses, wherever -- friends are plugged in and jobs aren't advertised.

COM. YAMAKAWA: Thank you very much.

COM. SEVILLA: Can I ask one last question?
I have heard testimony, particularly that in bars — as I understand it, but maybe a little different from restaurants — that when you have a vacancy, it's not practical to have to go through a laborious type of hiring process where you post the job and inform the community there is a job available and then you attempt to get applicants, screen the applicants, make the recommendation to hire, and hire somebody.

You also mentioned earlier that you told that while attempting to get a job that you wanted, there were various explanations to you as to why you hadn't been employed, because people were being hired on a temporary basis or some basis, until they found the appropriate applicant for the position.

Might that be a recommendation to those industries where, perhaps, hiring somebody off the street wouldn't be the most optimal way of handling the situation. But if we were to develop a pool, perhaps of qualified, temporary help, such as they do in major offices, where they sometimes want to hire someone on a temporary basis until they can actually fill the position, that that might be a way to in fact hire people, take the time to go through the hiring process, and then fill the position with a qualified applicant?

MR. MARTIN: I think that would be one way it could be done.

I think a second way is if a restaurant or bar has a vacancy, they need not to necessarily advertise in the Gay Advertiser or the major newspaper, but putting a sign up on
the bar, doesn't constitute "major." You put up a sign two
days that you are taking applications from 9:00 to 11:00, it
does not need to be an elaborate process of hiring and
interviewing.

At least, give people an opportunity to apply for
the jobs that apparently do exist. At least that is a first
step.

COM. SEVILLA: Thank you.

COM. CHUNG: As a person like you, who have the
diversified -- I guess -- knowledge and skill, perhaps the
job, as a waiter -- or maybe the cook may not be -- maybe you
are over-qualified, maybe in some instances. Maybe you have
more other skills that perhaps the actual simple job
requirements maybe sometimes cooks, all they have to do is
know how to cook. Sometimes maybe waiter jobs, is just
simple persons. You don't have to have high education.

Have you considered that fact?

MR. MARTIN: Sure, I have. First of all, my
employment experience -- let me say -- there's no such thing
as being over-qualified for the job. And part of the
employment is if you met the qualifications, it is not there
to say to a person "You are over-qualified." There is no
legal terminology of "over-qualification" for a job.

And secondly, in my situation, I was already
employed at the restaurant as a cook. At that particular
time that I worked at this restaurant, the bartender who
later became the assistant manager that I referred to, had a
Ph.D., had taught at the university level.
There were certain other people with master's degrees. Probably a third of the staff had B.S.'s or B.A.'s, were former school teachers.

One of the things about many of the people who work in the Gay establishment in San Francisco, tend to be those of us who immigrated from other areas, have skills and education in the area that don't relate to being a bartender, or cook, or waiter.

But because of the lack of employment in our field, by choices, people have chosen, for whatever reason -- plus the pay for being a waiter in a Gay establishment is probably better than being a schoolteacher in the City.

So, when one is talking about, you know, skill level, having been a waiter several times, I can tell you that it takes a considerable amount of skill to juggle a section of 30 customers, keep the orders going on tables on time, getting into the kitchen, coming back.

So, I would say, I would be hard pressed to accept a person telling me I was over-qualified to be a waiter. I would suspect, in a Gay establishment, they have a preference to have a person who has more than the necessary skills to be a waiter than to have someone with less than the necessary skills to be a waiter, because if you have someone who has less than the necessary skills, they get on-the-job training on the floor, you are sure to lose a large number of customers.

So, I am a man with very good verbal skills, and good analytic skills, and I don't see it as being a deterrent
to being a good waiter, because in the restaurant I worked
was a high-demand restaurant, and we processed hundreds of
orders in a given period.

So, my only explanation is that the reason that I
was not readily transferred to a waiter position was not
because of my over-qualification or my skills, since I match
the skills of many people there, but it was purely based on
the color of my skin.

COM. CHUNG: Okay. Thank you very much.

MR. MARTIN: Thank you.

MS. WINNOW: Kemit Amenophis.

MR. AMENOPHIS: Let's see, how do I start.

Well, okay. For the past year, I have been seeking
some sort of, you know, employment. You know, keep it going
because like, for the past several years, you know, I've
lived in Bay Area for five years.

You know, I am an artist. Usually, that is what I
do. I paint, and I exhibit my paintings.

I've worked for the Art Commission, and, you know,
California Arts Council, with my arts. But I'm trying -- you
know, I've been working part-time jobs here and there, you
know, to pay my bills, and et cetera, because I know that in
the art field -- specifically where I'm involved -- is not
really a good place to, you know, try and earn a livelihood.

But for the past several months, you know, in a
Haight/Fillmore Street health store, asking about a position
of a cashier, because I've had previous experience, not only
as a cashier, but in restaurant-related work, you know,
busboy, dishwasher, you know, and et cetera.

And I have approached the managers, you know, with
my applications, and never had any response. You know, this
is a store that is right in my neighborhood and I've been
knowing about them. They have been knowing me for years.

So after a while, several months, I approached the
owner directly, and I asked -- you know, I gave him my
resume, because I had resumes then. I told him I'm looking
for work and that, you know, the Carter age, you know,
funding for, you know, art projects is over, and I really
need to find something, you know, full-time and permanent,
because part-time jobs are just really not doing it for me,
you know.

So, you know, since I was so bold to approach him
directly, he finally hired me. So, after I was hired, you
know, as a probationary employee, at first to see how I fit
in, which I said, "Fine."

So, it was like part-time at first. After a few
weeks, I would be a full-time employee. So, after working
there -- I'm nervous, okay?

Well, I was told that -- well, I remember the
manager, one manager asked me whether or not I was Gay, which
surprised me, because both owners are Gays, you know. The
other manager asked me whether or not I was myopic, you know,
nearsighted, you know.

And I noticed that the managers did not train me
right, you know, as far as, like, telling me what it is that
I had to do on the job, like I expected. I found times I
didn't know what I needed to do, and I had to ask them "What can I do?"

All I get, "You need to be faster, you need to know all these other things, you know, stocking and things."

I said, "Sure, I will do all that. Tell me what needs to be done."

After all these complaints that I wasn't just up to par, I thought I was doing good. Actually, my speed as a cashier, tending to customers, I was friendly, and I thought I was doing good.

All of a sudden, they lowered the boom, and said, you know, "You just won't do." They said I need -- the word, word from the owner, when I needed to be 30 percent faster, you know, to take care of the, you know, the rush of the people that get off from work, when they start crowding into the store.

And I don't feel that I was given the same opportunity as other employees who have been working there that I know, you know, were not -- because I used to go to the store all the time.

I know I was at least as fast as any of those employees. And as of now, there's only one other third world person working in the store, even though they only have ten employees -- that is, visibly third world.

And, also, another think that I was going to say, and I forgot when I approached the owner, you know, when I gave him my resume and explained to him my situation, he decided to hire him. I told him it would be probably good
P.R. is he had third world people working in the store, and simply was a black neighborhood.

I think that was the thing that hired me. That tilted it in my direction. But after I got there, I was under unusual pressure to be, you know, like top-notch, and I was doing a good job, I felt.

That's all.

CHAIRPERSON LYON: So, you didn't file any claims of discrimination after you were fired?

MR. AMENOPHIS: No, because it was -- well, you know, like, I would -- people, they told me that I should do something, and I didn't really want to, you know, make a big deal about it because I figure, well, see it's only that job and I can find another one.

But you know, I noticed the people that they've hired have been all white people, new people. You know, I just -- I just felt -- I just felt that something needed to be done about it.

COM. SEVILLA: What would you suggest be done about the situation, or similar situations like that?

MR. AMENOPHIS: I don't know, because, see, it's such a small company like that. Everyone said they liked me and that sort of thing. I don't feel like the managers were very comfortable with me, for some reason, because it seems like it was between them. They were not satisfied.

They were the ones that did not take the responsibility, showing me the job, telling me what was needed to do, because I had to go up to them to ask them what
I needed to do.

I don't really know what you can do in such a setting, where there is such a few number of employees.

COM. SEVILLA: Are you currently employed?

MR. AMENOPHIS: I am currently unemployed, yes, sir.

COM. SEVILLA: Do you think that your current employment is satisfactory, that you are actually able to maintain your job?

MR. AMENOPHIS: Beg your pardon?

Didn't you say --

CHAIRPERSON LYON: Unemployed, you said?

COM. SEVILLA: Unemployed, I am sorry.

MR. AMENOPHIS: I am unemployed. I have been collecting unemployment. I have been working part-time, or looking for employment.

My part-time job was so little, I had to have something to make up for it. I have been without a job since the California Artist Residency ended. I haven't had any success with Gay businesses.

I could go there all the time, and they just accept my application, and I never hear from them.

COM. SEVILLA: Are these art-related businesses?

MR. AMENOPHIS: No, because in the art field, it's very slow, to make that kind of progress, especially, you know, a painter, you know, I paint. I get commissions every now and then, and my employer, they understand that I am an artist.
I do get commissions every now and then, but it's not anything steady that I can live off of.

COM. SEVILLA: Thank you.

CHAIRPERSON LYON: Commissioner Yamakawa.

COM. YAMAKAWA: In seeking employment, have you sought employment not only from Gay or Lesbian businesses, but from other businesses?

MR. AMENOPHIS: Oh, yes, certainly. In fact, most of my employers, since I have been living in San Francisco, have just been the mainstream, you know, whatever.

You know, I work for the storage company, you know, Kelly Services, the Haven restaurant, et cetera.

COM. YAMAKAWA: The only experience with a Gay-owned business was with this experience that you have described to us?

MR. AMENOPHIS: Yes. This was the only Gay-owned business I have ever worked for actually, since I have been living here. And I'm certain some of the other -- I've experienced some slight, you know, discrimination in other areas, but I think it's really unusual, the amount of discrimination in the Gay businesses, because I would think, you know, since I'm a Gay man, you know, like, my employer understand that I was Gay, I don't know why the manager asked me whether or not I was Gay or not.

I don't know where that came from, because I've been out. The owner knew me, since I worked for the Bureau of Census as an enumerator and was enumerating his housing units that he owned, also in 1980.
So, you know, they knew who I was and I have been a good employee. I mean my cash register was always balanced, you know, at the end of the day. There was never any shortage or anything like that. And I was always on time and all that. All that was perfectly fine.

COM. YAMAKAWA: Thank you.

CHAIRPERSON LYON: Thank you.

MS. WINNOW: The next speaker is Tom Horan.

MR. HOREN: I had no intention of addressing the body again, and some things came to mind, listening to some of the questions that were asked that I have to comment. And I would like to emphasize the comments I am making are, to me personally, not attributable to Black and White Men Together, either content or delivery.

There have been some repeated questions about the impact of the situation that has been described here on white men. Frankly, I virtually never in my life felt as powerless to deal with a situation that has confronted me as I feel about the situation that's being outlined here.

I was with the Civil Rights Movement in the early 60's. I was teaching in a high school, where there were 1,500 students and 175 teachers, and a group of female students, who were looking for a sponsor so they could establish a women's study group after school could not find a woman member of the faculty who would do it. And they asked me if I would sponsor them so they could meet in a room, 1969.

I spent eight years in the Union Movement at all
levels of activism. All of these things came to me because I was a Gay man. Because in the early 60's there was no place for a Gay man to go. There was nowhere where social justice was moving, except in the Civil Rights Movement.

All of this time, I felt that something was happening, something was happening with the Women's Movement, something was happening with the Union Movement.

I was secure enough so that in Connecticut, where there was a moral turpitude clause for termination and there was no protection for Gay rights, I was still able to testify in front of a state legislature to rebut the testimony of the Arch Bishop of a Roman Catholic Arch Diocese, to make the 6:00 news, and go back to a Board of Education meeting to hear the Vice Chairman of the Board introduce a motion that public advocation of homosexuality be considered grounds for the termination under the Moral Turpitude Clause.

And I was also powerful enough in that situation so that there was not a second to that motion, because they did not only want to have voted on it, they didn't even want to discuss it.

If that motion would have carried, they would have had 550 teachers on the line the next morning, and they knew it.

When I left teaching, I got into an entirely different area. I am into computers now. During that time period, I was involved in several different organizations, all of which were working for some variety of social justice. And I finally got to the point where I said, "You know, I'm
burnt out. I'm tired of this. I want to live a life. I want to have a personal life, and I'm tired of living my life in closets."

I picked up and left Connecticut and came to Mecca. And part of my attraction to San Francisco was knowing that it was a cosmopolitan environment, that the narrow-mindedness and the bigotry that I had lived with all my life was not to be here.

And that the enlightened Gay people who had made it some place would be more supportive of me.

And it took me a month to learn otherwise.

And, Commissioner Morrissey, if this Commission doesn't do something to take that skeleton from our closets and drag it out and bring it to the point where these people, who are continuing to oppress me in every other Lesbian and Gay person in this place, until they are forced to admit that they are ashamed of their behaviors, and until they are forced to do something to change those behaviors, then there is going to be violence.

There are no more peaceful means. And there will be pickets on the street, and there will, in fact, definitely wind up being violence.

I cannot conceive that these people will move without force. And I don't see another place to go other than this Commission, short of the streets.

Thank you.

CHAIRPERSON LYON: Thank you.

MS. WINNOW: Hank Wilson, owner of the Ambassador
MR. WILSON: When I got the questionnaire, I read it, and I thought it was real good, because I thought the Commission is doing something.

I think you have already, by raising the issue for the spotlight, so the people can examine it. I think that is good.

I was hesitant to fill out the questionnaire, because you asked questions for data on my staff. And as I looked at the questionnaire, I thought, "What kind of impression are you going to get as an employer, if I answer this?"

And so I did a preliminary one -- not filling it out -- and I looked at it and I did one six months ago, what my staff looked like. And I filled that out, and I did one a year ago, what my staff looked like, and they were all different.

So, one thing I would like you to do is in the future, is try to involve a history -- get some history.

I had three managers last year, at the Hotel, three of them were black and one was white -- two of them were black, one of them was white.

I was a teacher, also. I had problems with all three.

I would like to share some of my feedback and what I think is a real complex problem. And I think that the community needs help. I think that we are at a point that we can come up with some creative things that don't exist now,
so we can help people of goodwill, and also people that are fearful, because I think there's more people that are fearful, than there are people that are evil right now, in terms of this.

I think we can kind of de-mystify letting people of good will in first, and help set up a mechanism to start the thing.

I don't want to put a sign in my window saying I have employment because I am in a neighborhood with high alcoholism and high drug problems, and I have people coming in drunk and wanting to take my time and staff's time.

At one time, actually, I did have such a sign. I would not put a sign up in the future. I don't want to advertise for the simple reason, you get in a culture, where society of unemployment -- you get too many responses.

What I want to have is a mechanism so that if I have an opening, I can call someone to say that I'm going to hire a person so they can send me a pool, or person, or one or two people, plus the people I know through the Old Boy or Old Girl or friend network, people we know, then I can do my interviewing from there.

As a small businessperson that is faced with being on the binge of call it bankruptcy, and having a hard time -- not having much of a financial cushion, I want to give you some insight as to how a lot of people use the Old Boy Network.

It's for security. If you hire somebody you don't know, you have a lot of questions about them. If you hire
someone you know, you don't have as many questions about
them. So, you feel more confident.

Some of us that are just business people, our
budgets are so tight, that someone on a key night, like a
weekend, we can go under, and some of us don't have anyone to
fall back on, in terms of loaning or emergency cushion funds,
contingency funds.

In my business, I always wanted to have a
contingency, and I still have a goal, and I haven't realized
it. It seems we go from crisis to crisis to crisis. I think
that is part of the puzzle we need to address.

Perhaps, if we could get bonding, helping people
get bonds, it doesn't have to be a race basis, but anyone who
is new, lots of people want people that are bondable, or get
their own bonds. So, if someone else steals a couple of
thousand dollars from me, gives me some security. Then I
might be willing to go with the person that I don't know or
the person that was a friend -- what I think -- if I hire
someone who is a friend of mine, they're not as likely to rip
me off, because they know their friend is going to be pissed,
then they are going to work on that.

Another thing I want to -- I think we need a
referral agency where the GGBA or Tavern Guild, Black and
White Men Together, or some organization, or process that
doesn't exist at this time, that is capable of pooling people
together.

You are going to have people of goodwill use that,
and I think there are people of good will out there, and it
might not, at the beginning, end up with people being
hired -- everybody being hired, but you are going to get the
pool of people interviewed doubled, tripled, significantly
changed, and that will happen, I think, overnight in the
community if we can increase that pool, you can call if you
are interested in being a person of good will, but you don't
want to advertise.

But as a small business person, you are the
secretary, you are the person that does the banking, you do
all those things, you don't have the luxury of government
offices with a lot of staff support. We are kind of like
everything.

I think that another thing that we need to do, and
we need to realize this in San Francisco, if we can set up a
process, let's be real careful that we have fewer problems.
And businesses make an attempt to hire their first minority
third world employee, what happens -- what happens when you
have a staff problem? Does everybody get polarized
overnight?

If that person is dismissed, is it because of
racism? Is it because they were lousy at math? I think that
we need to be real careful and we need to do a lot of things.
So, if we have people of good will come forth, let's work
with them, and let's work these problems out.

I think if we can set up a referral system and have
a relationship of good will in the community, but let's be
real careful when the first problem comes popping up.

I think our community is starting to deal with this
issue, and I think it's overdue, and I think if all the forces of people who have come forward, if we pull ourselves together, you will find that a lot of employers in the future -- what is the word -- spreads out, not the immediate short-time, but as the pioneering -- this is pioneering for a lot of bigoted people.

They will see we can have change, and it's going to happen.

CHAIRPERSON LYON: Hank, you are making it sound like nobody in the world has ever hired a third world person before. And the larger community has been doing it, you know, for years, without --

MR. WILSON: There are businesses in the community that never had a third world person, both the straight and the Lesbian/Gay community. That's not debatable. I think that is being stopped, can be worked on.

I'm not -- I think it's important to realize the complexity. It's not simple to advertise. It's not simple to put a sign in the window. It's not simple to start the first step.

You have to also deal with your current staff. You've got people -- I've had someone say they don't want to be treated differently, so I'm not treating you differently. Other staff don't want people treated differently. It's a complex, human relation problem we have to address.

CHAIRPERSON LYON: Commissioner Morrissey?

COM. MORRISSEY: I would like to get some-idea of the numbers of people that might be using this -- or how many
opportunities there might be for people in this, we'll say
the bars, the Gay bars?

In other words, what is the turnover?

MR. WILSON: I think that is an excellent point.

I think in many of the businesses in our community,
there is a high turnover. I would think -- would you,
Richard -- I would think in a lot of waiter positions, and
many service occupations, there is a high turnover.

In my business, there's a high turnover.

COM. MORRISSEY: What do you mean by "high"?

MR. WILSON: In a year's time, more than half of
the staff changes. I think -- I don't know if that is
considered "high." To me, it is considered high.

COM. MORRISSEY: That is what you think it might
be?

MR. WILSON: I think each business is different,
has to be looked at individually.

COM. MORRISSEY: Thank you.

CHAIRPERSON LYON: Richard?

COM. SEVILLA: Hank, we extended our invitation to
several hundred business organizations, bars, restaurants,
and the whole gambit. I guess you can interpret that in
different ways. You may say either they don't care or they
see the process as futile, or they feel they have nothing to
contribute or it is not a major concern to them, it's
basically a problem of minority people.

What is your interpretation of the lack of
participation of businesses in the Gay community, and do you
see that indicative of our willingness to get future cooperation and the efforts of recommendations that come out of this Commission?

MR. WILSON: Well, I think the first step is knowledge of everyone involved that it is a complex problem, and it is not a simple thing.

Bigots versus the good people, that it's a complex problem. Each person has a history -- that's something that's real important. I think it's a lot of fear.

How do you make a change? How do you start? Where do you call?

I think --

Let me give an example. I think, also that there needs to be more spotlighting, if there are specific problems, the communities need to be informed. I think the Black and White Men Together have started the process.

But we need to have the spotlight turned up to specific places. There were two picket lines at Alphy's Disco five years ago. The first one was called by white Gay men, liberal progressive men, and I think there was one black Gay man on the picket line. And people walked through the picket line.

Blacks walked through and so did the whites.

The second picket line was called by black Gay men, and more than a significant part of the picket line was black Gay men, third world, no one walked through. Not one white or black walked in.

And we took the issue from being an abstract --
it's important to make it concrete. And I think that it's going to be a push.

I'm not saying that everybody is waiting for people to knock on the door. It's not going to be that easy. But I also think that we don't want to approach it from the extreme of either side, because if you do, some people of good will, out of fear, will not change, because it's a hot potato. And it is.

It is good that it is a hot potato.

COM. SEVILLA: You have been involved in the Gay and Lesbian community for years, and a lot of us in the room have, and over various periods of time, too, we have seen the community rally around issues where there is something like the Briggs Initiative or more recently, people who are concerned over the health crisis of Aids, a variety of other things, in which the community has come together.

We are looking at a situation now that perhaps not everyone totally understands, and perhaps not totally even feels exists. I mean, there are people out there that don't see the problem existing.

The purpose of this group is to prove it exists, and I'm not sure that will be our mission. We will have to see later on.

But outside of this Commission, and before this Commission even took on this issue, I think the issue of racism, or discrimination within the Gay community, Lesbian community, has existed for a long time, and consciously.

Do you think things like, perhaps, the volunteering
of the Tavern Guild at our last meeting, where they
volunteered to put names of people who are seeking employment
in their newsletter, announce their names at meetings, or
have them appear, offer any employer who wanted to post a job
opening in their newsletter.

You indicated that you wouldn't put a sign in your
window. But, perhaps, another way, whether you could send an
announcement to a minority/Lesbian organization that might be
interested in, perhaps, applying for some of your positions.

They seem to be little things, and in the back of
my mind, I'm thinking, they are all so small. But it takes a
whole bunch of people, taking the steps to move somewhere.
In your sense of things, these particular set of Hearings,
and perhaps the discussion of this issue taken in that
perspective, do you see hope for us moving somewhere, and
perhaps are these things that make sense to be doing, and do
you think that when looking at the community of goodwill, do
you think there are people out there that are willing to join
together and start moving on this thing?

MR. WILSON: Well, I think there are. The question
is how many? We won't know until we do it, because that is
the challenge to all of us. That is the challenge. How big
that community is.

Right now, we don't know, and we don't know if it
exists. It's theoretical, but we've got to do it. And it
seems like it's an obvious first step when you have the
Tavern Guild putting that out. That is a beginning for them.

On the other hand, we need to monitor, monitor,
monitor, and keep your data and see if there is a change. If there is no change in the bars, or your service occupations, which are easy to monitor, then you know whether it's working.

And so you do many things. You have to have activists, spotlighting places that are most blatant, using the media, because we are the most media community in the world. And although we don't use the media the way we should.

But I think it's simplistic to think that one is going to happen because it is a problem. Because look at the culture. Look at the straight community. Look at every community that exists. This really -- I think we are going to see some change, you know. And let's see that mechanism open up and be a catalyst for it.

I think it will.

COM. YAMAKAWA: Just to put what you are saying in context, Mr. Wilson, how long have you been an employer?


COM. YAMAKAWA: So, you have about five years of experience now, as an employer?

MR. WILSON: Yes.

COM. YAMAKAWA: What is your current employment at the present time?

MR. WILSON: Currently, I have about eight staff persons.

COM. YAMAKAWA: Are all of these full-time persons?
MR. WILSON: No. Well, I have eight full-time people. One of those persons is temporary right now. I am in a transition period, and I have eight between myself and a former employee, who wants some part-time work. He's working for me right now.

COM. YAMAKAWA: Would you sort of give us, say, a breakdown of what your work force is, from the standpoint of clerical, maids, cashiers, what have you?

MR. WILSON: I have four desk clerks, two maintenance staff, one and a half housekeepers, and myself.

COM. YAMAKAWA: And you are currently experiencing a 50 percent turnover a year?

MR. WILSON: In the past. I'm working to get stability.

COM. YAMAKAWA: Since that is a problem you are attacking, how are you attacking the problem of your large turnover?

MR. WILSON: Through the Old Boy Network, trying to get people that have confidence in other people, people who have allegiance to other people, people who know other people, honest, and they are not going to rip us off and not frauds, and they're not giving me a line.

COM. YAMAKAWA: How did you hire before that this is seen as the solution? What did you do to hire people?

MR. WILSON: Well, it's not like when I said -- it's not like a peer -- case of that, because it varies. But, I've called the State Unemployment Service. To date, none of those have worked out, and I've hired over five or
six of those people in the last six months.

I mean, they have a job. They were terminated.
And I've accepted applications from people that come in off
the street, and I've also accepted applications from some
people that live in the building, tenants.

What I find is the most stability is when people
have allegiance to other people, and they're not going to
fuck me over because they're not just attacking me, they're
attacking their friends.

And I see there is a problem in there, in terms of
diversifying. It leads to a problem. I mean, I acknowledge
that.

I'm trying to figure out how do we move to get
people to broaden this base potential, high risk? I have
never had anyone get a bond. And as an employer, I'm
ignorant about what it means to have a bondable employee.

So, there may other small business people who don't
know about the bonding system. I still don't know about it,
and here I am talking about it.

I know it's something I have been asked when I
applied for a job, "Are you bondable?" I always put "yes." I
But I don't know what it means. I don't know what it means
or cost but I always put "yes."

COM. YAMAKAWA: You are --

MR. WILSON: I think there may be a mechanism.
That's why I give some people more ability to try some new
things, if they understood what "bonding" meant.

COM. YAMAKAWA: Do you see your solution to your
My experience has been with that process is that it hasn't worked. That fewer than five to ten percent of the people that have applied for the jobs have been third world.

I think that one of the things -- there were several very positive things that can come out of these Hearings.

One is that it would be good for those of us that are employers, that really do want to advertise, and really put out, is to advertise that there be guidelines, or recruitment and guidelines on how to properly recruit, and be readily available.

And the other thing that I think that I have been hearing, is to develop a pool where I, as an employer, can advertise, and people, third world people, know that they can go there and find jobs, where they can apply, and where they will be treated equally.

COM. SEVILLA: I'm think of different kinds of job agencies. Do you think that this agency would necessarily have to be a Gay agency? Could it be a city-sponsored agency? Could it be independent?

MS. CHRISTENSEN: Sure.

COM. SEVILLA: Does it have to be an agency?

MS. CHRISTENSEN: I don't think it necessarily has to be Gay. I think there needs -- there can't be discrimination against Gays. There needs to be people that are conscious of the Gay community working there, that are developing it.

COM. SEVILLA: Are you aware of hiring agencies in
eye on that. And I think that would definitely enter into
the decision I would make, especially if the skills were
such.

Sometimes the person with the best skills is not
the best person to hire because sometimes you need to know
all the skills, and everyone you interview knows all the
skills. You don't have to have one that has the Nobel Prize,
especially at entry-level positions.

So, I think I'm looking for a staff that can work
together. I want people who are good at human relations, as
well as skill. I want to have stability. That means,
working with myself, but also working with the other staff
people.

I don't have a formula in terms of points or
percentages.

COM. CHUNG: That's enough.
CHAIRPERSON LYON: No further questions.
MR. WILSON: Thanks.
CHAIRPERSON LYON: Thanks, Hank.
MS. WINNOW: Diane Christensen from the office of
Community United Against Violence.

MS. CHRISTENSEN: I have been hiring for -- or
doing the hiring for CUAV for two years. We have four
employees in the agency, soon to be six.

We advertise primarily in the Gay Press and Women's
Community Press, and we also send approximately 20 to 30 job
assignments to various social service agencies, half of which
are third world agencies.
turnover problem, and your desire to do affirmative action as
being conflicting courses at this point?

MR. WILSON: No.

COM. YAMAKAWA: How do you see that your turnover
solution, or the problem of your turnover and affirmative
action can be simultaneously accomplished?

MR. WILSON: I think if I can increase the pool, or
potential people that I hire, that are considerable, then I
have a more likelihood of having a change in my staff, having
a totally solvent staff.

At this time, if I knew there was an agency that
would vouch for one, or who would refer people, I would call
them. I'm not saying I would hire them, but I would
interview the people.

And I would think that people would be referred by
an agency or by a group, would feel some kind of allegiance
to that group, because if they fucked me over, I would let
the word back to the people that sent them, be they white,
black, or any other race.

COM. YAMAKAWA: You mentioned EDD and people
walking off the street, and people who are, perhaps, tenants
of yours. Have you, in fact, had experience with a private
referral source, such as an agency?

MR. WILSON: To date, no. I did have one referral
from -- I don't know if it was formally Black and White Men
Together, but it was through a contact of Black and White Men
Together. And I did not hire that person they referred
because the person wasn't the best person out of the
prospects.
The person I did hire was black, though, and it
was --

COM. YAMAKAWA: This is not meant to be sarcastic,
Mr. Wilson, I don't want you to take it as such, but it seems
to me if you are trying on the one hand to limit your
turnover by hiring people who have loyalty to your friends,
and at the same time trying to expand the pool of people you
are hiring it from, it seems to me what you got to do is
expand your pool of friends.

MR. WILSON: I understand that. I think, though,
that if one is into -- or if one is committed to
diversification in terms of hiring, you might be limited by
your friends. And I think that is the point.

And does one go out and make friends, because you
want to have a larger hiring pool? I don't think that's the
best way of increasing your friend pool.

COM. YAMAKAWA: Okay, thank you.

CHAIRPERSON LYON: Commissioner Chung?

COM. CHUNG: As an employer, assuming that black
and white or colored -- whatever -- they are equally
employable, what would you most weigh in your hiring
practice? I want to categorize those things, trustworthy, or
maybe the skill, competition, or what is your weight of
employment in the trade?

MR. WILSON: I think those are all important
factors, and it would vary. I am conscious of what my staff
ratio composition is. I am conscious of that. And I keep an
minority communities, such as Mission Hiring Hall, or Chinese for Affirmative Action, perhaps other community agencies, outside of the Gay community that appeal to a minority applicant?

MS. CHRISTENSEN: Yes.

COM. SEVILLA: Do you use them?


COM. SEVILLA: What prevents you from doing that?

MS. CHRISTENSEN: I primarily advertise in the Gay community.

COM. SEVILLA: If you advertise in the Gay community, you run the risk of not appealing to minority communities?

MS. CHRISTENSEN: That's true.

COM. SEVILLA: If you advertised outside the Gay community, you run the risk of perhaps not appealing to the Gays, and Lesbians?

MS. CHRISTENSEN: Right. I attempt to define the organization, and I think I have done a good job in appealing to both the third world and Gay community members.

COM. SEVILLA: Thank you.

CHAIRPERSON LYON: David?

COM. YAMAKAWA: When you talk about agencies, one of the things that I have observed is that private industry uses private agencies, which means that either they bear the cost of the fee, if they are the employer, or if the agency is an employer, whoever ultimately hires, ends up paying the fee, if the agency is an employment agency.
Now, I think that I observed that by-and-large, nonprofit corporations do not use employment agencies, private employment agencies. And so, just out of curiosity, I ask you the question — we are talking about this agency that you are referring to.

Is this an agency that has to be subsidized through our sources, or are you in a position as an employer to help bear the costs of such an agency?

MS. CHRISTENSEN: I'm not in a position, as an employer, to bear the cost. Particularly, as the director of a nonprofit agency. I can see ways it could be worked.

I mean, it could be worked through the organizations that Hank Wilson mentioned, the Tavern Guild, Black and White Men Together. But there are also precedents set.

Advocates for Women provides a job referral for women. They are a nonprofit agency. They are subsidized by the government and by, possibly, employers at different points, most by government funds.

They do some private fund raising. So, there is a model for what I am talking about. They have been in existence for over ten years now.

COM. YAMAKAWA: I'm not questioning the existence of a model, because there are these agencies, like Richard described, and the ones you were describing.

I was just curious to see, whereas there are private employers, if they are going to use an employment agency, have to pay a fee. Whether you, as a nonprofit, were
prepared to do the same thing.

MS. CHRISTENSEN: If the City would pay for it, through my budget, I would be willing to do that. There's no problem on my end.

COM. MORRISSEY: May I interrupt a minute on this point?

The employer uses it because it's cheaper, in his opinion, gets a better deal than interviewing — taking the time out of his work to interview.

In other words, there is an efficiency factor in it.

Wouldn't you do the same thing, would apply to your organization, if you were operating efficiently in this manner? So, I don't see why you have to answer by saying, "no."

MS. CHRISTENSEN: I have to answer that way because I understand that logic and reasoning. My agency is supported by government funds, and those funds would prohibit paying for an employment service like that.

COM. MORRISSEY: Is that because there is a State Employment Service? There was a reference to that State Employment Service, a public agency stands ready for Gays, anybody as I understand it.

MS. CHRISTENSEN: The reason I say it, because it's not detailed in our line items. I have never seen it detailed in a contract with a city for paying that kind of an expense.

COM. YAMAKAWA: Have you ever placed any proposals
seeking funding?

MS. CHRISTENSEN: For?
CHAIRPERSON LYON: To pay those fees?
MS. CHRISTENSEN: No.
COM. MORRISSEY: But they are paying it because somebody is taking time out to do all the interviewing?
MS. CHRISTENSEN: Sure.
COM. MORRISSEY: So, it appears in the list of your expenses?
MS. CHRISTENSEN: Anytime that we put a job out, we get anywhere from ten to 50 applicants. So, it is a lot of time.
CHAIRPERSON LYON: No more questions.
Thank you.
MS. WINNOW: There are no more speakers.
CHAIRPERSON LYON: We have one run out of speakers. And this is the final Public Hearing on this particular issue, the second one of two.
Now, what we will be doing is certainly evaluating all the information that has come in. It is my assumption there may also be additional written material that will come in from people who weren't able to testify here.
And eventually, and as soon as possible, we hope we will be issuing a report on what has come out of these Hearings. Not just, you know, what was said here, but also with recommendations from the Commission, with the findings from the Commission, and also with solutions.
Hopefully, our solutions can come about in an
atmosphere of good will, as Hank put it.

If it isn't possible to mediate, to conciliate, to work together, to make changes in what obviously is a bad situation, we do have the option of requesting the Department of Fair Employment and Housing to come into the issue.

We will certainly do everything that we possibly can to get a report and solutions that will come to the crux of the matter.

I appreciate all of your attendance here.

Richard, do you want to say something?

COM. SEVILIA: Well, I guess I'm just thinking on the eve of the Justice Department's decision to let Dan White free, and on the night after the Day After, and looking at the complex problems of society, and this is one that we can no longer ignore or not deal with.

And I feel convinced, as a community of people, as a city that knows how, we are going to approach this one, and we are going to do something with it. And if it takes the good will of the people in the Gay community and the owners of businesses and whatever it takes, to sit down and work and do some of these on a volunteer basis -- and I think we can get someone.

And I think if it takes someone to go to the Department of Fair Employment to do that, we can. This issue won't be forgotten and won't be scoffed, and we will continue with it.

So, I think this set of Hearings has been real helpful in pulling the information out and moving towards the
road of bringing solutions.

    I have a great deal of hope, let's put it that way.

CHAIRPERSON LYON:  Right. Without that, where are we?

COM. SEVILLA:  You got it.

CHAIRPERSON LYON:  Then these Hearings are adjourned.

    (9:00 p.m. - Hearing was adjourned.)

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STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

I, LOWELL E. TORMO, do hereby certify that:

I am an official shorthand reporter of the State of California, in and for the City and County of San Francisco, and that as such, I reported in stenotype the proceedings had in the Human Rights Commission Hearings, on November 7th and November 21st, 1983; and that the same is a full, true and correct transcription of said stenotype notes as taken by me in said matter.

DATED this _____ day of _____, 19___.

LOWELL E. TORMO, CSR
City and County of
San Francisco,
State of California