lieves it does have this power, it sought in 1949 an amendment to the Law Against Discrimination requiring the posting of such a notice. Two bills (S. I. 1817, Print 1968 and A. I. 1869, Print 1958) were introduced, one in each state legislative body, but both died in committee. As a result, the Commission decided to "proceed against the recalcitrant employment agencies by way of criminal proceedings." By agreement with New York City's Chief Magistrate, all cases involving charges of wilful interference with SCAD in the performance of its duty or violation of its orders will be handled by a court especially created to deal with violations of orders of New York City and State departments and commissions.[70]

The Commission has sponsored an amendment to the General Business Law of New York State to help solve another problem regarding employment agencies. The names of some agencies, the Jewish-American Employment Agency, for example, immediately suggest that they will accept job orders from employers and will make referrals on the basis of race, creed, color or national origin. Recognizing that an agency's name may be a business asset, SCAD does not intend to order any changes of name, but is asking such agencies to add to their advertising copy a phrase to remove the implication of their names. The Jewish-American Employment Agency uses the term "Non-Sectarian" under its name. Apparently the Commission could not obtain the cooperation it wanted from employment agencies; hence it asked for the legislation.[71]

During 1949, also, SCAD began an investigation into the practices of fee-charging employment agencies to "ascertain the facts and, if necessary, to provide a basis for remedial action." One of the commissioners has taken sworn testimony from representatives of several group relations agencies and this year the employment agencies are testifying.[72]

E. *Compliance by Labor Unions*

In dealing with illegal discrimination by labor unions SCAD's chief success has come not as a result of complaint cases but through investigations it has begun on its own initiative. To the end of 1949 the Commission received a total of 160 complaints against unions,[73] of which it had closed 115. In only eight of these 115 cases did SCAD

[70] 1949 Annual Report 87-88.
[71] *Id.* at 91-92, and 1948 Annual Report 37-38.
[72] 1949 Annual Report 70.
[73] *Id.* at App. A, Table 4.

sustain the complainant's charge of illegal discrimination.[74] To the end of 1949 the Commission initiated 47 investigations of union practices, of which it had completed 38. Of these 38, SCAD found discrimination in 22 cases and eliminated the illegal practices through conciliation.[75]

Probably the Commission's most substantial achievement with respect to discrimination by unions has been the elimination of provisions in union constitutions and by-laws excluding Negroes entirely or denying them the full privileges of membership. In 1948 SCAD concluded a survey of 38 unions to determine the extent of such discriminatory rules, and succeeded in getting the following eight unions to remove discriminatory provisions from their constitutions or by-laws:[76] Air Line Dispatchers; Blacksmiths, Drop Forgers and Helpers; International Association of Machinists; Maintenance of Way Employes; R. R. Yardmasters; Railway and Steamship Clerks, Freight Handlers, Express and Station Employes; Sheet Metal Workers; Switchmen's Union.

The following nine unions have made such discriminatory provisions inoperative in New York State: National Association of Letter Carriers; Locomotive Engineers; Locomotive Firemen and Enginemen; R. R. Telegraphers; R. R. Trainmen; Railway Carmen; Railway Conductors; Railway Mail Association; Rural Letter Carriers' Association.

Some of these unions, the Commission has reported,[77] complied with the law on their own initiative, some "complied readily" upon the Commission's request and some "complied only after the exertion of strenuous effort." SCAD pointed out that it is not convinced, merely because the survey has been concluded, that unions' discriminatory admissions practices have been entirely eliminated, nor even that all discriminatory provisions have been removed from union constitutions and by-laws. "Pending and future cases involving such clauses or practices," it stated early in 1949, "will, however, be handled on an individual case basis."[78]

F. *Seniority Rules and Vocational Training*

In its efforts to break up long-standing discriminatory patterns in

[74] *Id.* at App. A, Table 6.
[75] *Id.* at App. A, Table 7.
[76] 1948 Annual Report 33, 35-36.
[77] *Id.* at 35.
[78] *Id.* at 36.