



ISSUE 1

VOLUME 3

STATE EEO COORDINATOR

Why do we celebrate Black History Month?

Black History month was founded in 1926 by African American historian Carter G. Woodson who intended it to honor the work of two great Americans, Frederick Douglas and President Abraham Lincoln. This statement alone shows that from its initial conception, the celebration was more about the races working together for the American dream. As we look toward today, what is it we expect our children to take away from lessons on this topic? I say they should learn that Black Americans have been positive contributors to what makes this nation what it is. Black Americans have served in the armed forces in every major conflict since our founding. The first person to die during the Boston Massacre was Crispus Attucks, a free Black man. He was the first casualty of the Revolutionary War.

Do you think life would be a mess without traffic signals? You can thank Kentuckian Garrett Morgan for that invention. Of course we have the well known Oprah Winfrey, renowned TV personality and entrepreneur who's message is always on making ourselves better for the world we live in and to give back more than you take from society.

But now that we have a President from parents of different races the question is asked, why do we need to celebrate Black History Month? My response would be so everyone will know he reached this pinnacle because of the contributions and accomplishments of our entire society. You see, Black History Month was never intended to be only about Blacks, but about anyone who opens doors, mentors, shows concern, and truly has an open heart for all persons. Where do you fit into this equation? If you cannot answer that question then your task begins today to start helping someone else improve their status. They do not have to be Black or a member of a minority group but nothing says they can't be either. But, if we all try to help the next person that needs it, we will sooner or later have a positive effect on our entire circle of friends and co-workers. Remember, when this celebration began in 1926, half of the celebration was about a white man who cared enough to change the world. So no matter your race or nationality, there is something for everyone to celebrate during Black History month!

Regards,

Singer

ODE TRAINING NEWS

— 2011 ODE Training Schedule —

Date	Audience	Title	GSC Room	Time
2/09/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
3/09/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
4/13/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
5/11/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
6/15/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
7/13/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
8/10/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
9/14/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm
10/12/11	State Employees	Anti-Harassment	5th Floor	9am - 12 pm
	State Employees	Diversity	5th Floor	1pm - 4 pm

REGISTER TODAY!

Send an Email To:
Singer.Buchanan@ky.gov



UPCOMING EVENTS

BLACK HISTORY MONTH EVENTS

Black Legislative Caucus Black History Month Celebration

Date: Tuesday, February 15

Time: 10:30 AM

Location: Capitol Rotunda

Frazier Museum, Kentucky Opera & Fund for the Arts

In honor of Black History Month, the Frazier History Museum is partnering with Kentucky Opera and Fund for the Arts to present FREE happy hour events. Each evening, Kentucky Opera Studio Artists will perform "Oh Freedom!" and tour the rich cultural history of African Americans from pre-slavery to modern times through song. Frazier Museum performers will present a different first person account related to African American history each night. All performances are FREE and guests may also enjoy complimentary beverages and light snacks. Access to all Frazier Museum galleries begins at 5 p.m., with performances from 5:30 to 6:15 p.m.

Location: Frazier International History Museum

Address: 829 West Main Street
Louisville, KY 40202

Website: <http://www.fraziermuseum.org/learn-play/special-events/>

Phone: 502.753.5663

Price: FREE

The Martin Luther King, Jr. Cultural Center at the University of Kentucky

The Martin Luther King, Jr. Cultural Center at the University of Kentucky has posted its calendar of events in celebration of Black History Month. Events include: critically acclaimed one man show Emergency, an Apollo Theater Talent Contest showcase, a Musical Tribute to African American Composers, an historical progressive dinner and a showing of the film Blacking Up: Hip-Hop's Remix of Race & Identity.

For information on dates, times and locations please visit:

<http://www.uky.edu/MLKCC/AAHM.htm>.

17th Annual African American Art Exhibit...

The African American Art Exhibition celebrates African American history and culture through the arts. This year's 17th annual African American Art Exhibition at Actors Theatre of Louisville will be on display from January 4 – February 13, 2011. The exhibition will run concurrent with the theatrical production of Ma Rainey's Black Bottom, a searing drama about Blues legend Ma Rainey and her band. Actors Theatre is a not-for-profit professional regional theatre located in the heart of downtown Louisville, Kentucky. Over 20,000 theatre and arts patrons view the exhibition, which has become a popular highlight of the region's visual arts season.

Date: Jan 4 - Feb 13, 2011

Location: 316 W Main Street
Actors Theatre of Louisville

Email: info@actorstheatre.org
www.actorstheatre.org

MORE EVENTS ON PAGE 4

Lexington's Historic Lyric Theatre Black History Month Events

The newly re-opened historic Lyric Theatre in Lexington has several events and performances scheduled for Black History Month (including a reading by recent EEO Conference Keynote Speaker Frank X. Walker).

For information visit: <http://www.lexingtonlyric.com/>.

Beyond the Harlem Renaissance at the Eastern Kentucky University

On Thursday, Feb. 10, Beyond the Harlem Renaissance, an interactive museum of African American art, literature and music during the Harlem Renaissance and beyond, will be on display from 10 a.m. to 2 p.m. in the Powell Lobby, outside Room 110, the Office of Multicultural Student Affairs. For more information, contact the OMSA at 859-622-4373.

Kentucky State University Black History Month Program

Speaker: Thomas Dortch, 100 Black Men out of Atlanta.
Date: February 10
Time: 11:00 AM
Location: Bradford Hall Auditorium, KSU Campus

Western Kentucky University Black History Month Calendar

The Western Kentucky University Office of Diversity Programs has released the 2011 Black History Month Celebration Calendar. This year's celebration includes some thirty-two events, including lectures, films, discussions, performances, etc.

For a full listing please visit: http://www.wku.edu/odp/?attachment_id=287

Female Re-Enactors of Distinction (FREED)

The Feb. 4, 2011 program will feature the Female Re-Enactors of Distinction (FREED), affiliated with the Civil War Museum in Washington, D.C. The ladies of FREED dress in period costumes and use period speech to portray African American people and their way of life during the Civil War. The program, part of Black History Month, is free and will be offered from 12:30 p.m. to 3 p.m. Central Time. The site is 9 miles east of Hopkinsville on U.S. 68.

Date: February 4, 2011
Location: 258 Pembroke-Fairview Rd,
Jefferson Davis Historic Site,
Fairview, KY 42221
Phone: (270) 889-6100
Website: parks.ky.gov/findparks/histparks/jd/

LaVon Williams: Rhythm in Relief

LaVon Williams: Rhythm in Relief will feature over sixty works by the Lexington wood-carver. It is an exhibition organized and traveled by the Kentucky Folk Art Center at Morehead State University. Williams' artwork explores a sense of personal and cultural identity through an examination of the artist's African-American heritage, spirituality, and passion for music.

Date: Jan 21 - Feb 26, 2011 (11:00 A.M. - 6:00 P.M.)
Location: 100 East Main Street, Cressman Center for Visual Arts Gallery,
Louisville, KY 40202
Phone: (502) 852-0288
Email: clpope02@louisville.edu
Website: www.art.louisville.edu

HERE ARE THE FAQs

QUESTION: Can race be considered in employment, if there is a business need?

Title VII does not permit racially motivated decisions driven by business concerns – for example, concerns about the effect on employee relations,(40) or the negative reaction of clients or customers.(41) Nor may race or color ever be a bona fide occupational qualification under Title VII.(42)

Example- Racial Steering or Assignment*

An employer admits that it usually assigns Black and Asian American salespersons to sales territories with a high percentage of Blacks and Asian Americans. It is uncontested that the employer does not harbor ill-will toward either group. Instead, the employer believes they will better serve sales territories with high percentages of Blacks and Asian Americans, and thus increase sales to the benefit of the firm's bottom line and their careers. Charges are filed by employees who want the opportunity to work in territories regardless of their racial makeup. The employer has violated Title VII, which prohibits employers from depriving employees of employment opportunities by limiting, segregating, or classifying them on the basis of race.

Example - Yielding to Customers' Racial Preferences*

The employer is a home care agency that hires out aides to provide personal, in-home assistance to elderly, disabled, and ill persons. It has a mostly White clientele. Many of its clients have expressed a desire for White home care aides. Gladys, an African American aide at another agency, applies for a job opening with the employer because it pays more than her current job. She is well qualified and has received excellent performance reviews in her current position. The employer wants to hire Gladys but ultimately decides not to because it believes its clientele would not be comfortable with an African American aide. The employer has violated Title VII because customer preference is not a defense to race discrimination.

*From the *EEOC Compliance Manual, Section 15: Race & Color Discrimination*

EEOC SPOTLIGHT

Georgia Military College Sued by EEOC for Race Discrimination *Agency Charges Georgia Military College Subjected African-American Groundskeeper to Racial Abuse*

<http://www.eeoc.gov/eeoc/newsroom/release/1-21-11a.cfm>

Crye-Leike / Bankers Asset Management Sued by EEOC for Race Discrimination and Retaliation

*Companies Refused to Hire Black Applicants and Retaliated Against Employees and
Former Employees for Opposing the Discrimination, Federal Agency Charged*

<http://www.eeoc.gov/eeoc/newsroom/release/1-5-11.cfm>

Home Instead Senior Care to Pay \$150,000 to Settle EEOC Race Bias Suit *Management Officials Engaged in Race-Based Assignments, Agency Charged*

<http://www.eeoc.gov/eeoc/newsroom/release/12-13-10a.cfm>

OFF THE PRESSES

A Unanimous Supreme Court - What a Concept

From the *Deleware Employment Law Blog*, Posted by Sheldon N. Sandler On January 25, 2011. In: Retaliation , U.S. Supreme Court Decisions

In an all too rare unanimous ruling (save for Justice Kagan, who recused herself), the U.S. Supreme Court has held that the anti-retaliation provision of Title VII extends to employees who are in the “zone of interest” with an employee who has filed a charge of discrimination. The facts and findings follow.

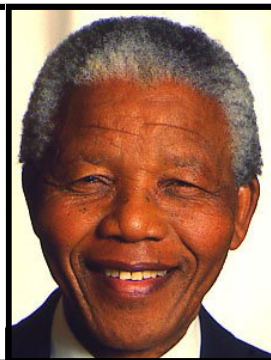
A female employee filed a charge of sex discrimination against her employer. A few weeks later, the employer fired the complainant's fiancée, who had also been a company employee. The fiancé then filed a retaliation charge with the EEOC and a subsequent lawsuit.

Justice Scalia, writing for the Court, held that a reprisal against a third party such as the fiancée was covered retaliation under Title VII. The Supreme Court further held that the fiancée was an “aggrieved person,” who had standing to sue under Title VII. Justice Scalia pointed out that the text of the anti-retaliation provision is broader than the substantive provision and that any person who comes within the “zone of interest” that the statute seeks to protect can file suit. The Court leaves it to future cases to determine how far this “zone of interest” extends. The case is *Thompson v. North American Stainless*, No. 09-291.

QUOTATION OF THE MONTH

*“And as we let our own
light shine, we unconsciously
give other people permission
to do the same.”*

Nelson Mandela



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