

AKRON COMMITTEE FINALLY GETS TO THE
SOURCE OF W.P.A. DISCRIMINATION

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Deaf workers definitely are banned from "manual labor" on W.P.A. projects under one provision of the regulations issued by Federal headquarters in Washington and effective for the whole country. Copies of the official regulations now in our possession leave no room for doubt.

Nevertheless, one W.P.A. worker in Akron who was dismissed in December 1939 because of "total deafness" has been returned to work without re-certification and credited for the time lost.

These facts are hard to reconcile and the explanation is not simple. However, there can be little doubt about the source of all the trouble. The truth is that Federal W.P.A. regulations, as revised last July, are so ambiguous that they frequently result in discrimination against the deaf. The only way to eliminate the discrimination whenever it occurs is to appeal to Federal headquarters where the ambiguity will be given an interpretation which is broadly favorable to the deaf.

The letter from the office of Colonel F.C. Harrington, highest of the W.P.A. higher-ups in Washington, which was reproduced in the February issue of the FRAT, was such an "interpretation." It was not recognized as such at the time, however. It was only after further persistent investigation that we came into possession of a copy of the complete Federal regulation and learned the exact status of the deaf worker on W.P.A.

The provision dealing with "physically handicapped" workers reads as follows:

"No person whose age or physical condition is such as to make his employment dangerous to his health or safety, or to the health and safety of others may be employed on any work project; provided, however, that this regulation shall not be construed to operate against the employment of physically handicapped persons, otherwise employable, where such persons may be safely assigned to work which they can ably perform.

(Note: The foregoing section is the one quoted for our benefit in the letter from the office of Colonel Harrington. It is immediately followed by the one below in which the dirty work is done.)

"Persons known to be suffering from the following physical disabilities should not be assigned to any type of manual labor on work projects:

Double Inguinal Hernia	Systolic Blood Pressure over 200
Loss or impairment of both arms	Extensive varicose veins
" " " " " hands	Active tuberculosis
" " " " " legs	Active venereal disease
" " " " " feet	Epilepsy
Total Blindness	Extensive paralysis
Total Deafness	Severe diabetes mellitus
Non-compensated cardiac lesions	Malignancy of any vital organ
Psychosis	

(Note: The next section is the one where "total deafness" logically belongs.)

"In general, persons suffering from the following disabilities should be assigned only to those duties which are within the range of their normal experience and which entail no particular hazards to themselves or to other project employees:

Single inguinal hernia, whether supported or unsupported	Compensated cardiac lesions
Loss or impairment of one arm	Systolic blood pressure from 175 to 200
" " " " " hand	Arrested tuberculosis
" " " " " leg	Deformities - congenital, old fracture, sprains, etc.
" " " " " foot	Partial paralysis
Impaired vision - Cataract etc.	Arthritis, Neuritis, Rheumatism."
Asthma or solicosis	

Most people who read this, including most W.P.A. officials, ~~will~~ no doubt will understand that the first of the three sections above says that physically handicapped people can be employed on W.P.A. under certain circumstances and must not be hired under certain other circumstances. So far, so good.

The next section gets down to cases and specifies the exact circumstances under which persons must NOT be employed. In order that there may be no doubt ~~that~~ this second section means what it says, the third section specifies the kind and degree of physical handicaps which ~~are~~ ~~not~~ shall not bar persons from employment.

Total deafness comes

~~Deaf persons are placed~~ under the taboo of the second section.

There would seem to be no question about this interpretation. But there is. Federal and State administrators of W.P.A. insist that the exclusion of the deaf is not mandatory. The latest letter from the office of Colonel Harrington, dated February 7 and signed by Assistant Commissioner Fred R. Rauch, says:

"While it is not possible to exempt totally deaf persons from the provision of this regulation, it is assumed that a degree of reason will be used in the assignment of totally deaf or other handicapped persons. The opportunities for such assignment must rest ultimately on the types of work available."

doubtful

they may

These are ~~real~~ words, of course, ~~and~~ mean everything or nothing. But let that go. The fact is that we know of half a dozen communities in the United States where local W.P.A. officials did not use the

Confidentially
"degree of reason" which Mr. Rauch so ~~blithely~~ assumes and inflicted severe hardship on deaf workers as a result. We expect to hear from many more such communities as word begins to get around.

Dr. Carl Watson
The State Administrator for Ohio is a little more definite. In his letter, he says:

"We do not construe our regulations to operate against able-bodied deaf persons, otherwise employable, where such persons may be safely assigned to work which they can ably perform."

Very good, Doctor. We have no quarrel with that whatever. But say, Doctor, if you really mean it, why not gently lift "total deafness" out of the ~~second~~ taboo section quoted above and set it down firmly in the liberal third section, which actually gives local administrators a chance to use discretion in the matter of hiring for manual labor? That will remove all of the ambiguity and ~~leave~~ all chance of discrimination in the first place. Do you know of any reason why this cannot be done?

It would be nice, don't you think, to bring the language of the regulation in harmony with your good intentions.

In the meantime, word is trickling in of deaf workers in different sections of the country who, so far, have been unable to get the ear of Colonel Harrington in Washington and who, as a consequence, are suffering hardship when dropped by local officials who have not yet had the benefit of an "interpretation" from Washington. The Akron committee would be glad to hear from all who have been dropped from W.P.A. rolls because of "total deafness" since last July. Address: I. M. Robinson, Secretary, 1735 Hampton Road, Akron, Ohio.

~~For the present~~ The Akron committee will continue to function ~~in an effort~~ until a national organization has opportunity to canvas the situation and take over ~~the~~ responsibility for a nation-wide protest.