

# HISPANICS NEED NOT APPLY: A FACT SHEET ON HISPANIC UNDERREPRESENTATION IN STATE GOVERNMENT



For decades, the alarming underrepresentation of Hispanics in the workforce of New York State government agencies has been a concern. The Task Force has made some gains in solving this problem via the creation of a special commission and via the statutory creation of the Chief Diversity Officer in the Governor's Office. An overview of the problem is presented here.

*Chairman Marcos A. Crespo  
Carl E. Heastie, Speaker*

## Background

In 2014, there were less Hispanics working in state government than 10 years ago.

In 2004, 6,515 Hispanics composed 3.8% of the state workforce of over 168,000 employees.

In 2014, only 6,142 Hispanics were employed out of state government workforce of over 131,000.

Today, we have almost 400 less Hispanics working in state agencies even though Hispanics share of general workforce and state population have increased substantially over the past decade.

In fact, it is projected that between 2012 thru 2020, Hispanics will account for 75% of the labor force growth across the nation.

Hispanics also have a higher labor force participation rate than all other groups at 67%. The labor force participation rate is measured by the share of population, 16 and older, either employed or looking for work. This means that almost 7 out of every 10 Hispanics are active in the labor force.

Currently, the Hispanic share of the U.S. labor force is 18% and will rise to 21% in 2020. This means almost one in five workers will be Hispanic by 2020.

In 2015, today almost 4.1 million Hispanics live in NYS. Yet even with their high workforce participation rates and increased college completion rates, entrenched and biased hiring practices have made Hispanics almost non-existent in the government workforces of the state and its municipalities. The impact is hundreds of millions of dollars in yearly lost wages for Hispanic communities.

Sources: 2005 PR/H Task Force Report, "Black and Hispanics Need Not Apply" 2014 New York State Department of Civil Service Workforce Profile Data US Census and US Department of Labor

## State and County Level Jobs Impacted

This problem goes beyond New York State agencies. The Department of Civil Service, via exams, controls over 650,000 municipal jobs throughout the State. The underrepresentation of Hispanics in municipal level workforces is also a pressing problem.

In 2005, The New York State Assembly Puerto Rican/Hispanic Task Force released a report documenting the problem and set forward a legislative agenda to help remedy the situation. "Black and Hispanics Need Not Apply: The Underrepresentation of Minorities in NYS Government Workforce" created a discussion on the problem and helped one of its proposals to become State law.

Then Governor Pataki signed Chapter 705 of the Laws of 2006, which created the Commission to Increase Minority Participation in the State Government Workforce. Part of the Commission's statutorily mandated work was completed but after the 2010 elections, the new Administration failed to reconvene the group as required by law.

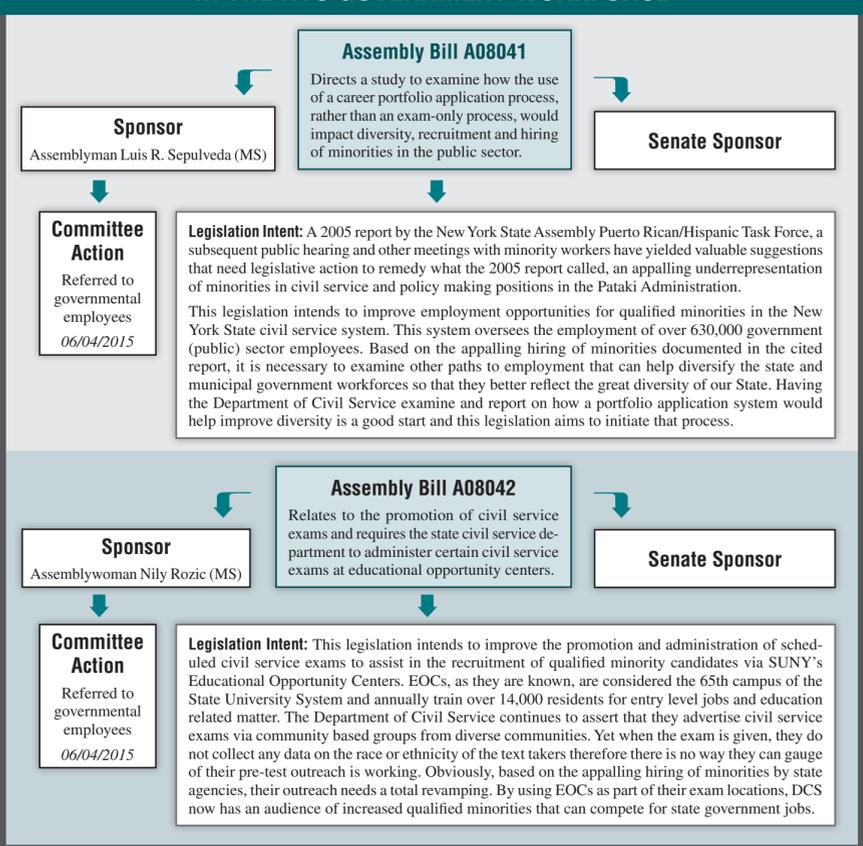
# THE UNDERREPRESENTATION OF HISPANICS IN THE NYS GOVERNMENT WORKFORCE

## Legislative Proposals Focused on Correcting Decades of Biased Hiring Practices



For more information on this issue and the proposed package of legislation listed, please contact Guillermo Martinez, Legislative & Communications Director of the Puerto Rican/Hispanic Task Force at 518-455-5514.

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## Timeline

**State Employees Sue New York State and Win \$45 Million in Damages**  
The underrepresentation of minorities, including the biased hiring and promotion practices of state agencies has been a concern for minority state government workers in the system. The lack of minorities in higher level positions is even more acute. Official complaints to the federal Equal Employment Opportunity Commission (EEOC) on New York's biased pattern of test administration, hiring and promotions led to an investigation by the EEOC.

**In 2000**, the EEOC found that New York was administering a biased civil service exam and ordered that the New York State Department of Civil Service stop the practice. The agency disregarded the directive of the EEOC leading to over 4,000 black and Hispanic employees suing the State for discrimination.

**In 2006**, one year after Puerto Rican/Hispanic Task Force documented rampant discriminatory practices in the employment of minorities by state agencies, Governor Pataki signed Chapter 705 of the Laws of 2006 which created the Commission to Increase Minority Participation in the State Government Workforce. However, only part of the Commission's statutorily mandated work was completed.

**In 2008** the progress made by the work of the Commission came to a halt. That progress included the impetus for the creation, in law, of the Chief Diversity Officer position now in existence in the Executive Chamber. Statutorily, the Commission needs be reconstituted through appointments by legislative leaders and the governor. Chapter 705 outlines the work that needs to be completed.

**In 2010**, four years after a federal court granted State employees class action status in their law suit, New York State had to pay out \$45 million dollars in damages.

**In 2015**, The pervasive discriminatory patterns that exclude minorities from promotions and hiring continue, and currently there are less Hispanics in state government employment than a decade ago.