

# Jacksonville Human Rights Commission

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## REPORT

### **PUBLIC HEARINGS ON THE CITY OF JACKSONVILLE'S MINORITY BUSINESS ENTERPRISE PROGRAM**

On March 24 and 25, 2003, the Jacksonville Human Rights Commission (JHRC) held public hearings on the City of Jacksonville's Minority Business Enterprise Program at the City Hall Annex, 220 East Bay Street, Jacksonville, Florida.

The purpose of the hearings was to discuss the operation of the program and gather evidence concerning the experiences of minority/and or women businesses, and majority firms, pertaining to discrimination and barriers to entry in construction and other purchasing opportunities. The JHRC was further charged with making recommendations to the Mayor based upon testimony presented at the hearings.

Thirty-two men and women spoke before the Commission during the two public hearings. While the majority were African-Americans, there also were Hispanics, Asians, and Caucasians providing testimony.

All speakers supported the existing MBE Program. Many wanted to strengthen it. Some minority subcontractors said that if the MBE Program did not exist, they probably would not be in business because majority prime contractors rarely hire them for work in the private sector.

Several speakers addressed the issue of discrimination by majority prime contractors against minority subcontractors. They reported improper substitution of white subcontractors for minority subcontractors once a project began. They reported the failure of majority prime contractors to fully pay minority subcontractors on projects. They reported instances of intimidation and threats by denying future work opportunities if minority subcontractors complained or filed grievances.

Commissioners were dismayed by these reports and strongly urge new legislation to include appropriate provisions to enforce contracts (including appropriate sanctions for violators) that include minorities, provide for grievances, and protect minority contractors who do grieve. New legislation should have stronger enforcement and grievance procedures with adequate funding and staff for their administration. Commissioners



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*Recipient of the 2001 Governor's Sterling Award*

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also recommend consideration of an independent audit process to ensure that minority contractors receive their due.

Other issues presented to the JHRC concerned training for minority businesses in the procedures for bidding and obtaining contracts. Minorities and women starting in business often need help in learning how to secure contracts, keep records and make reports. They need help with bonding. One speaker suggested the city could fund the first \$50,000 of a minority contractor's bond. Others suggested the need for mentoring inexperienced minority and women contractors in the procedures for doing business with the city.

The Commissioners recommend consideration of these issues in the proposed new legislation. Most important is the concern that new legislation adequately enforce and protect minority and women subcontractors from what appears to be ongoing discrimination by a number of majority prime contractors.

Respectfully submitted for the Jacksonville Human Rights Commission

Pamela Quarles, Chair

James B. Crooks, Secretary