

## ORDINANCE #68

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FIRST READING - July 24, 1990  
SECOND READING - August 14, 1990

**AN ORDINANCE OF THE COUNTY OF LACKAWANNA, PENNSYLVANIA, TO DECLARE LACKAWANNA COUNTY'S OPPOSITION TO RELIGIOUS DISCRIMINATION; TO SEND NOTICE TO THE BRITISH EMBASSY AND IRISH EMBASSY IN WASHINGTON, D.C. STATING THAT THE PEOPLE OF THE COUNTY OF LACKAWANNA AND THE COMMONWEALTH OF PENNSYLVANIA OPPOSE RELIGIOUS DISCRIMINATION; TO INFLUENCE CORPORATIONS WHICH DO BUSINESS WITH THE COUNTY OF LACKAWANNA; AND TO ACKNOWLEDGE THESE SUBJECTS BY MEANS THAT ARE PRUDENT AND RESPONSIBLE.**

**WHEREAS**, the people of Lackawanna County recognize the moral responsibility of communities to continually take political steps toward insuring that full human rights are obtained for all people and that religious discrimination is abolished; and

**WHEREAS**, Northern Ireland is a sectarian state in which the rights of the Irish Catholic minority have been severely restricted, particularly in terms of equal employment opportunities, for the past 65 years and longer. The result of this religious discrimination has been an unemployment rate for Catholics which is more than twice that of others; and

**WHEREAS**, Dr. Sean MacBride, distinguished Irish statesman, Nobel Peace Prize Laureate and founder of Amnesty International, has authored the so-called MacBrides Principles, aimed at reducing employment discrimination in firms doing business in Northern Ireland, twenty-six of which are American firms. These MacBride Principles, which have been formally adopted by New York State; the Legislature of Monroe County, New York; New York City; the City of Rochester, New York; the City of Albany, New York; the City of Boston, Massachusetts; the City of Detroit, Michigan; the City of Cleveland, Ohio; the City of Philadelphia, Pennsylvania; the City of Pittsburgh, Pennsylvania; and many other governmental bodies, calls for affirmative action to be taken by institutions and companies doing business in Northern Ireland, or with Northern Ireland by:

1. Increasing the representation of individuals from under represented religious groups in the work force, including managerial, supervisory, administrative, clerical and technical jobs.
2. Providing adequate security for the protection of minority employees both at the work place and while traveling to and from work.
3. The banning of provocative religious or political emblems from the work place.
4. Publicly advertising all job openings and making special recruitment efforts to attract applicants from under represented religious groups.
5. Providing that layoff, recall and termination procedures should not, in practice, favor particular religious groups.
6. The abolition of job reservations, apprenticeship restrictions and differential employment criteria, which discriminate on the basis of religious or ethnic origin.
7. The development of training programs that will prepare substantial numbers of current minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade and improve the skills of minority employees.
8. The establishment of procedures to assess, identify and actively recruit minority employees with potential for further advancement.
9. The appointment of a senior management staff member to oversee the company's affirmative action efforts and the setting up of timetables to carry out affirmative action principals; and

**WHEREAS**, the aforesaid policy of discrimination is not only morally repugnant to all Lackawanna Countians who believe in the inherent rights of individual freedom and equal treatment under the law, but also casts doubt on the society and stability in institutions and groups doing business in Northern Ireland; and

**WHEREAS**, on an international level, the violence in Northern Ireland continues to be a destabilizing influence to the whole country; and

**WHEREAS**, Northern Ireland's rejection of human rights and aggressive military activities continue to defy world opinion, and

NOW, THEREFORE, BE IT ORDERED, by the County Commissioners of Lackawanna County in the Commonwealth of Pennsylvania as follows:

**SECTION I - Definitions**

- A) The "County of Lackawanna" shall mean the municipal corporation chartered by the Commonwealth of Pennsylvania known as the County of Lackawanna, its agents or departments.
- B) The phrase "supports a policy of discrimination" shall, for purposes of this Ordinance, mean doing business in Northern Ireland without subscribing to the MacBride Principles.

**SECTION II**

- A) Notwithstanding any other requirement of law, the County of Lackawanna, shall not contract, for goods or services, with a person, firm or corporation which supports a policy of discrimination as defined in Section I-B hereof, except as required by the General Municipal Law.
- B) If a contract must be awarded to contractor who support a policy of religious discrimination as defined in Section IB hereof, because the contractor is the lowest responsible bidder or the goods or services are not reasonably obtainable from other contractors who do not provide such support, then the contracting agency shall submit a statement to the Director of Finance detailing the reasons for such an action. The Director of Finance shall file that statement with the Administrative Director.

**SECTION III - Severability**

- A) If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.
- B) Any existing Ordinance or part thereof inconsistent with this Ordinance is hereby repealed.

**SECTION IV - Effective Date**

- A) This Ordinance shall take effect 90 days after final passage in accordance with the laws of the Commonwealth of Pennsylvania.
- B) Within 30 days after the effective date of this Ordinance, the Administrative Director shall send a copy of this Ordinance to the British Embassy, 3100 Massachusetts Avenue, Northwest, Washington, D.C. 20008 and to the Irish Embassy, 2234 Massachusetts Avenue, Washington, D.C. 20008.

**SECTION V - Oversight**

- A) The Director of Finance shall provide a list of persons, firms or corporations with which the County has contracted for goods or services which have refused to subscribe to the MacBride Principles to the County Commissioners on an annual basis, the first report shall be due one year after the effective date of this Ordinance.

**COUNTY OF LACKAWANNA**

  
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 JOSEPH J. CORCORAN

  
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 RAY A. ALBERIGI

  
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 JOHN SENIO

ATTEST:

  
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 GERALD L. STANVITCH,  
 ADMINISTRATIVE DIRECTOR

Approved as to form and legality:

  
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 JOSEPH A. O'BRIEN, ESQUIRE  
 COUNTY SOLICITOR