



**THE HISTORY OF THE CIVIL  
RIGHTS MOVEMENT IN  
FORT COLLINS, COLORADO**

**Equal Employment in  
Fort Collins  
(1882–1992)**



# ACKNOWLEDGMENTS

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Cover photo: Marjory Collins, photographer. Stockton vicinity, California. Mexican agricultural laborer topping sugar beets, May 1943. Library of Congress, <https://www.loc.gov/item/2017853212/>.

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# STATEMENT OF CONTEXT

This document is part of the *Fort Collins Civil Rights Movement Historic Context Study*. Based on the National Park Service (NPS) thematic framework *Civil Rights in America: A Framework for Identifying Significant Sites* and associated theme studies, this historic context narrative focuses on the experiences and activism of seven marginalized groups: women, Indigenous peoples, African Americans, Hispanic people, Asian Americans/Pacific Islanders, LGBTQIA+ people, and religious minorities. It covers the period from 1882, when Congress passed the Chinese Exclusion Act, which greatly altered employment possibilities for Chinese immigrants, through 1992, when the Americans with Disabilities Act went into effect. This historic context narrative examines federal and state legislative and judicial activity before turning its attention to equal employment in Fort Collins.

Unlike other major themes in the civil rights movement, this area has not yet been explored in an NPS theme study, although NPS recently published *Labor History in the United States (2022)*, which touches on some of these topics. This document, therefore, relies heavily on local informants and their reported experiences.

Following a summary of federal and state legislation and judicial activity, this document examines civil rights activism nationally, at the state level, and in Fort Collins. This historic context narrative further identifies associated property types and significant sites associated with voting rights within the city limits of Fort Collins as they exist in 2023.

Note: The non-White/Anglo population in Fort Collins was relatively small during the period of time covered in this historic context. Additional research and contributions by community members are requested to supplement the information gathered to date from archives and community stories.



# INTRODUCTION

For most of this nation's history, employers were able to discriminate against job candidates or employees based on their race or ethnicity, skin color, religion, nation of origin, sex, sexual orientation, or any other subjective aspect. Discrimination in employment can take the form of discrimination in hiring or refusing to consider people for promotions. In addition to race-based hiring practices, women frequently were passed over for jobs and promotions because employers rationalized that men, as the traditional heads of households, more keenly needed those opportunities.

*Discrimination in the workplace* includes being subjected to harassing behavior or inappropriate language (such as racial slurs or sexual innuendo) and, for many years, it also included women losing their jobs as soon as they married or became pregnant.

Discrimination can also take the form of paying people unequally for doing the same or similar jobs. For example, women historically have been paid less than men, who are/were often expected to be the primary wage-earners in the family.

Discrimination may be direct (such as only hiring White men) or indirect, such as creating a set of hiring criteria that are not explicitly discriminatory but that, in practice, only White men can achieve. Indirect discrimination can also take the form of hiring requirements that are not related to the specific job; for example, if candidates are formally required to have a certain level of education that is not warranted by the duties of the position. At a time when higher education was not widely available to women or African Americans, for example, such a requirement could prevent those candidates from applying for any sort of job.





# STATE AND FEDERAL LEGISLATION AND JUDICIAL ACTIVITY

Prior to the Civil Rights Act of 1964, employment laws that governed the employment of women and non-White/Anglo men were entirely the province of state legislatures. This historic context does not address labor issues, such as safety in the workplace or child labor, except to note that some state laws created to protect women and children, which required them to be treated differently than men, gave courts the grounds for issuing decisions that maintained inequities and inequalities for women workers.<sup>1</sup> Beyond acknowledging that here, this historic context narrative is concerned entirely with the equal opportunity of adults to secure employment under fair and equitable conditions.

## FEDERAL LEGISLATION

Anti-immigrant sentiment in the country resulted in the federal Chinese Exclusion Act of 1882.

The first federal laws to protect workers who believed that they had been discriminated against by their employers were enacted in the 1960s and 1970s.<sup>2</sup>

- 1963: The Equal Pay Act was passed, protecting “men and women who perform substantially equal work in the same establishment” from sex-based wage discrimination.
- 1964: Title VII of the Civil Rights Act prohibited employment discrimination based on race, sex, color, religion and national origin. It also created the Equal Employment Opportunity Commission (EEOC) to enforce Title VII and eliminate unlawful employment discrimination. This law originally only applied to private employers, employment agencies, and labor unions.
- 1967: The Age Discrimination in Employment Act was passed to protect individuals between the ages of 40–65.
- 1972: Congress amended Title VII of the Civil Rights Act to give the EEOC authority to file lawsuits against private employers and extended the protections of the Act to federal employees and state and local governments that employ at least 15 people.
- 1973: Section 501 of the Rehabilitation Act prohibits the federal government from discriminating against “qualified individuals with disabilities.”
- 1978: Congress again amended Title VII of the Civil Rights Act with the Pregnancy Discrimination Act, which defines discrimination based on pregnancy as a form of unlawful sex discrimination.
- 1992: The Americans with Disabilities Act, passed in 1990, becomes effective; this law prohibits private employers, state and local governments, unions, and employment agencies from discriminating against people with disabilities in employment.

## U. S. SUPREME COURT CASES

Only after federal legislation outlawed employment discrimination could individuals sue their employers in court. Some of the landmark U.S. Supreme Court Cases during the time period included in this historic context include:<sup>3</sup>

- *Griggs v. Duke Power Co.* (1971). The company used educational requirements and intelligence tests (unrelated to job performance) as a screening tool during the hiring process. The Court found that those requirements continued the company's previous practice of intentionally excluding African Americans from applying for jobs or transfers within the company and, therefore, were a form of unlawful discrimination.
- *Cleveland Board of Education v. LaFleur* (1974). The Cleveland school board required pregnant teachers to go on unpaid maternity leave five months before their due date and prohibited them from returning to work before the beginning for the first regular semester after their child was three months old. The teacher also had to have a certificate of physical fitness from their physician. The Court found those rules to be arbitrary and, therefore, an unconstitutional violation of the Fourteenth Amendment Due Process Clause.
- *Meritor Savings Bank v. Vinson* (1986). The Court found that sexual harassment can create a hostile work environment and that an employer is liable for sexual harassment by supervisory personnel, whether the employer was aware of the harassment or not.
- *Johnson v. Transportation Agency* (1987). The Santa Clara County (California) Transportation Agency took into account the sex of an applicant, as part of an Affirmative Action Plan designed to promote more diversity in a traditionally White male job classification, "Skilled Crafts." The Court held that the Plan was legal because it sought to remedy underrepresentation by race or sex due to previous discrimination.
- *Price Waterhouse v. Hopkins* (1989). A woman manager at Price Waterhouse was denied partnership because, despite her professional success, her personality and interpersonal skills were considered too brusque and aggressive. The partner who told her that her partnership nomination had not been approved suggested, in detail, that she should present herself in a more feminine way. The Court found that the partner's comments constituted sex stereotyping and that the firm failed to justify its decision on the basis of reasons other than gender.

## COLORADO STATE STATUTES AND LAWS

In March 1951, the Colorado State Legislature passed a Fair Employment Practices Act, requiring employment standards in both public and private work not discriminate on the basis of race, creed or color. The law, enforced through the State Industrial Commission, only permitted legal redress against public employers. The Act also established a state commission on human relations. In 1957, the Colorado Legislature extended the act to include private industry.<sup>4</sup>

## FAIR EMPLOYMENT IN FORT COLLINS

The African American population of Fort Collins remained very small during the late nineteenth and early twentieth centuries. From 1880 through 1940, no more than 24 Black citizens lived in the city at any one time.<sup>5</sup> They found work as domestic servants, day laborers, wagon drivers, cooks, laundrymen, porters, grooms, barbers, shoeshine men, janitors, scavengers, and car washers.<sup>6</sup> Although this project has not discovered specific information about racial discrimination in employment for African Americans in the city, the prevalence of those practices nationwide almost certainly would have extended to Fort Collins.

Chinese and Japanese people were prevented from immigrating to the United States after 1882 (Chinese Exclusion Act) and 1907 (the informal Gentleman's Agreement between the U.S. and Japan), respectively. However, many people from those nations had immigrated to the United States and to Colorado before those federal actions took place.

Immigrants to the United States and Colorado were more likely to be identified as working for unequal pay. News articles in the late nineteenth and early twentieth centuries frequently complained about the low wages for which Chinese, Japanese, and Mexican immigrants were willing to work, indicating that employers exploited those people by paying them less than a White/Anglo person would have been paid. Immigrants worked in agriculture, mining and extractive industries, railroad, and construction. For example, in September 1909, the Japanese Labor Contracting Company (JLCC) formed in Denver, with a goal of bringing Japanese pay to parity with that of White laborers. At that time, Japanese farm laborers worked for \$0.75–1.50 per day, while White workers could expect to be paid \$2.00–4.00 per day. The JLCC's goal of higher wages would set a precedent that could ultimately benefit an estimated 30,000 Japanese workers throughout the Rocky Mountain region. The Japanese Association of Denver was also working to improve conditions for laborers at that time.<sup>7</sup> However, no organizations of this type have been identified that were operating in Fort Collins.

While no specific incidents of employment discrimination against Catholics or religious minorities have been identified in Fort Collins in the early twentieth century, given the prevalence of the Ku Klux Klan in the city and state in the 1920s, it is logical that the discrimination espoused by the KKK affected employment opportunities for many groups during this time.

Because discrimination in employment was so commonplace throughout the United States before 1965, it likely was unremarked upon in the historical archival record. Community members may have additional information to share about their ancestors' and families' experiences with this type of discrimination and/or their activism against it during that time period.

In more recent years, stakeholders reported discrimination in the workplace, primarily in the form of harassing behavior and racist/inappropriate language. In the late 1970s and early 1980s, a group of Hispanic officers and the single Black officer within the Fort Collins police department reportedly met with the police chief to complain about disparaging remarks from their colleagues and unequal treatment in shift assignments, compared to their White/Anglo co-workers. Stakeholders also reported that a Hispanic officer was denied a promotion explicitly due to his ethnicity; both that officer and the African American officer left Fort Collins to work somewhere else.<sup>8</sup>

Stakeholders also described employment discrimination in other departments within the City of Fort Collins, including having their complaints minimized or dismissed by the City Human Rights Commission.



## ASSOCIATED PROPERTY TYPES

“Associated property type” is a technical term used by NPS to describe historic resources that are related to the theme, geographic location, and time period for a particular theme study or historic context. This historic context identifies resources that could be nominated to the NRHP at the state or local level. Please refer to *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation* for more information.

Property types that might be eligible for NRHP based on their association with this topic include those that:

- Interpret the constitutionality of racial or other discrimination in employment. In other words, if the property was associated with a legal action against an employer that did not comply with federal law, or if it were associated with a situation that led to a City ordinance, it could be eligible for listing. This might include the building where a plaintiff worked or the headquarters of the business where they were employed.
- Initiating a local equal employment movement that directly helped to strike down employment discrimination within the City. This could include meeting places such as meeting halls, churches, or homes where organizing activities took place.

All historic sites associated with this context, if nominated to the NRHP, would be proposed under Criterion A: “Association with events that have made a significant contribution to the broad patterns of our history” at the local level of significance.

A building must also retain its historical and architectural integrity; in other words, it “must physically represent the time period for which it is significant.” Integrity is evaluated on the basis of seven aspects: location, design, setting, materials, workmanship, feeling, and association.

Although eligibility for listing in the NRHP is generally limited to those resources whose period of significance ends more than 50 years ago, as all resources associated with the ongoing struggle for fair housing are identified, their data should be collected so that they can be nominated as they become eligible.

The resource types listed here and individually significant sites identified elsewhere were located through archival and historical research and/or information provided by individuals in the community.

Note: This project did not include a historic resources survey. Prior to further considering any of these resources for inclusion in a potential NRHP nomination, these properties should be appropriately surveyed and documented.

**PROPERTY TYPE: COMMERCE/TRADE**

A business that was known to practice employment discrimination of any kind would qualify if it were involved in a legal complaint by an employee or the Equal Employment Opportunity Commission.

**PROPERTY TYPE: GOVERNMENT**

The Fort Collins Police Services offices would qualify since that department was involved in a legal complaint by an employee or the Equal Employment Opportunity Commission.

Property Type: EDUCATION

A school where female teachers were required to quit their jobs due to pregnancy or take mandatory maternity leave would qualify.

## SITES TO BE PRIORITIZED FOR SURVEY

All historic resources identified during this project have been compiled in a single inventory spreadsheet, whether extant or not. Only one historic property has been confirmed to be extant and potentially significant at the local level under Criterion A: Fort Collins Police Services building (then located at 300 LaPorte Avenue)







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- 3 FindLaw, "Employment Discrimination: Supreme Court Cases," 2017. Online at <https://www.findlaw.com/civilrights/discrimination/employment-discrimination-u-s-supreme-court-cases.html>
- 4 "State Legislature Votes FEP Law," *Fort Collins Coloradoan*, March 16, 1951, 1, newspapers.com. Also "Steve Signs 15 Measures," *Fort Collins Coloradoan*, March 14, 1957, 2, newspapers.com.
- 5 "City Directory and Census Research through 1950, Black Residents," (working paper, City of Fort Collins Preservation Services, no date).
- 6 "Occupations and Job Sites, Black Residents 1880–1943," (working paper, City of Fort Collins Preservation Services, no date).
- 7 "Will Push Up Wages of Japs in West," *Fort Collins Express and Fort Collins Review*, September 1, 1909, 10, newspapers.com.
- 8 In 2017, the City settled a lawsuit alleging discriminatory practices, including inequitable disciplinary actions and unfair promotion decisions, by Fort Collins Police Services against minority officers. The City denied all wrongdoing. Two years later, the City was sued again, this time for age and gender discrimination by supervisors in the police department.

