

1973 WL 122
United States District Court, N.D. Ohio, Eastern
Division.

Shield Club et al., Plaintiffs
v.
City of Cleveland et al., Defendants.

No. C 72-1088 | January 16, 1973

Opinion

THOMAS, D. J.

*1 The plaintiffs move to amend or clarify the judgment entered by this court on December 21, 1972. This court is asked to specify:

(a) that a minimum of 18% of all *men* hired pursuant to the 1972 Civil Service Examination for Patrolmen (male) be Black or Hispanic (based upon the fact that 18% of the total number of *men* who passed the examination were Black or Hispanic); and

(b) that a minimum of 51% of all *women* hired pursuant to the 1972 Civil Service Examination for Patrolmen (female) be Black or Hispanic (based upon the fact that 51% of the total number of *women* who passed the examination were Black or Hispanic).

Suggested alternate relief is omitted.

The memorandum of this court explained how it arrived

at the 18% result. Using the figures of the male applicants who passed the examination this court concluded:

. . . that, with allowance of plus or minus one percent, the minimum number of appointments should be fixed at a percentage (fraction), the numerator of which is the total number of blacks and Puerto Ricans who passed the examination and the denominator of which is the total number of all persons who passed the examination.

But in the very next paragraph it was made clear that the minimum of 18% black and Hispanic appointments was intended to apply to both male and female appointments. That paragraph states:

It is this court's understanding that women will be included among the 188 new patrolmen who will be hired. The 18% formula is intended to apply to black and Hispanic appointments both male and female.

The court reaffirms this expressed intention. Plaintiffs' motion for amendment or clarification of the order of this court is denied.

It Is So Ordered.