

LABOR • EMPLOYMENT • IMMIGRATION

Interview with Jerome C. Rose, Consultant February 24, 2023

My family originally was from a small farm close to Selma, Alabama. My father, Paul Leslie Rose, was born in 1885 at a place called Hamburg Station, Alabama, which was the location of the farm where he was born. To the best of my knowledge all of my father's family including 10 other brothers and sisters were born on the same farm. According to our family historians, most of the Rose brothers and sisters had moved out of Alabama by 1901 to the East and/or Western states. They were sharecroppers and did not leave together for obvious reasons, nor did they go to the same locations. Although slavery had been outlawed by the 13th Amendment in 1865, they were still concerned that they would be caught and returned to Alabama. My grandmother, Mattie Lewis Rose, left for Pueblo, Colorado, and my father of course went with her. My mother, Faye Helen Jones, was the daughter of a missionary, and she was born in Louisiana. She moved to Colorado, where her mother, a Pentecostal missionary, had begun to open many churches including one in Pueblo, Colorado. Of course my father pretended to be a good churchgoer in order to please my missionary grandmother and meet my mother.

After their marriage in Pueblo, Colorado, my mother and father moved to Denver during the early years of the Great Depression. I became the youngest of five children born to their marriage. In Denver my father worked as a brakeman on a freight train. Unfortunately, on one winter night he slipped from his perch as a brakeman on the train and suffered what later proved to be a fatal head injury. This left my mother a widow with five children to raise during the rest of the depression. She was magnificent.

Perhaps, the most amazing thing about my life is that I am now happily living in Birmingham, Alabama, about 65 miles away from where my great grandparents were slaves. The many things that brought me here were either highly accidental or reverently providential. Upon graduation from high school in 1950, I was, ultimately, awarded a full tuition four-year scholarship to the University of Denver. I was a good student, but not smart. Since I had no money to go elsewhere, I will always be grateful to the University of Denver for providing a good educational foundation for me. Incidentally, the University of Denver, a Methodist college, was founded by the Evanston family which also founded Northwestern University in Evanston, Illinois.

At the University of Denver, I majored in Personnel and Industrial Relations and received my first degree, BSBA, in 1955. I graduated fairly high in my class, at least high enough to be interviewed for a job offer in some corporate offices. I was interviewed but unfortunately, I did not receive a job offer. One recruiter told me candidly that given my major in Personnel and Industrial Relations, the companies which he represented would be very unlikely to hire a black person to interview or hire whites. This was discouraging of course, but I was fortunate enough to get a job that turned out to be one of the best jobs that I could have hoped for.

Upon graduation, I got involved in politics, helping my neighborhood which consisted of almost an equal mixture of blacks, whites and hispanics support the candidacy of Tom Currigan for Mayor of Denver. He won. I then was hired by the mayor as an accountant/auditor for the City of Denver.

The first person I met on my first job as an auditor in 1955 was Sam Feiner, my supervisor. Sam became one of the most influential people in my life. He was a great supervisor, a wonderful, father-like mentor with respect to my professional and personal development. He also had a great sense of humor. I was privileged to work with him for almost 16 years including eight (8) years as an auditor and another eight (8) years as Denver's first black Department Head over the Denver Motor Vehicle Division. Sam Feiner became the Director of Theaters and Arenas and although he was not then my supervisor, we continued our friendship until I resigned from my position as the Director of the Denver Motor Vehicle Division in 1971 to practice law. Sam died at age 95 in 1993. He will always be missed.

Between 1963 and 1965, while working at the Denver Motor Vehicle Division, I knew that my job was political in nature and would not last forever. Accordingly, I decided to continue my studies at night to work on a master's degree in business administration. I completed my studies at the University of Denver and was awarded an MBA in 1965.

Notwithstanding the many good things, jobwise, that had happened to me since my first graduation, the blatant racial discrimination that I experienced during the course of those interviews by companies for a position in their "Personnel Departments" continued to haunt me. Accordingly in 1967, I felt compelled to go to law school. It was my view that, perhaps, I could help bring about some change in the antidiscrimination laws of our state and country.

I was very busy during that time. I continued to manage the Denver Motor Vehicle Division and dabble in politics. In 1968 some of my friends in law school thought that the general public was so gullible that just about anyone could get elected to public office. To prove the point, they offered my name to fill a vacant position in the Colorado House of Representatives as the State Representative for District 15 where I lived. They did almost all of the campaigning and to everyone's surprise I won by about 89 votes (They called me "Landslide Rose"). I had to receive clearance from the State Attorney General in order to hold both positions, namely a City Department Head which was an office by appointment, as well as a State Representative, an elective office. The Attorney General found no conflict in my holding both positions. Incidentally, I also won a second term (1970 through 1972) by a considerably larger margin. I like to think that it must have been by at least 300-500 votes, but I never risked the chance that a mistake had been made on the original count and so I never asked for an exact recount.

Legislating was fun but in order to be effective it required about four to five months of time each year on legislative matters and interfered with my duties as a department head and also the development of a law practice. Thus, after graduating from law school in 1970, I resigned from my position as the Director of the Denver Motor Division and began my law practice.

The EEOC was created by Title VII of the Civil Rights Act of 1964 and became effective on July 1, 1965, but the agency did not have authority to file lawsuits until 1974. Thus, in 1974 the EEOC created eight Regional Litigation Centers throughout America. Fortunately for me one of the litigation centers was in Atlanta, Georgia, and the Regional Attorney at that center was a good friend of mine from Denver. While in the process of staffing the EEOC's Atlanta Litigation Center, he called and offered me a job as a senior trial attorney in Atlanta, which I accepted. I closed my practice (which was anything but profitable) and moved to Atlanta within a month or so later.

It was during my tenure in Atlanta that I met my wife, Carole, at church. Although, unlike my dad who was a bit of a schemer, I was a committed Christian. I knew that I had to be very credible and sincere in approaching Carole for a date. Through others, I found that she was a teacher in one of Atlanta's public schools and in the process of completing the final course work on her master's degree in education at Georgia State College, which she did. Later, I also found that she was committed to working on a PHD in education. Thus, it took almost two years before we started dating in earnest. We were married in 1979, over 43 years ago. I am convinced that our meeting at church and our marriage was also part of a providential plan that seems to have been ordained for my life.

In 1979 the EEOC underwent another reorganization and increased the number of litigation centers it had from eight (8) to sixteen (16). Under the reorganization plan, each litigation center became a "Legal Unit." It was placed in an existing District Office and administered by a "Regional Attorney." The Birmingham District Office's Legal Unit was scheduled to have eleven (11) attorneys and staff and covered all of Alabama and Mississippi. Although at the time I did not consider it to be a promotion to be the Regional Attorney, over, of all places, Alabama and Mississippi, there were at least two sets of circumstances that made me change my mind. First, I needed the money and, secondly, they told me that this was the only office left in the country for such a promotion. Of course, I took it.

Not long after I became the Regional Attorney at the EEOC's Birmingham District Office it was my good fortune to meet Richard Lehr, who at the time headed the Labor Section of Sirote & Permutt, the very prestigious law firm which continues even today.

Although we represented opposite sides of every case that brought us together, it was a joy to compete against him, even if I had to make concessions in presenting the EEOC's case on behalf of a charging party or affected class. We frequently traveled together to interview witnesses or take depositions. Afterwards, we almost always enjoyed a meal together. Although, it would have been very easy, as Regional Attorney, to assign his cases to one of the Legal Unit's other attorneys, I didn't. I enjoyed the wholesome, professional competition we had in representing our respective interests.

However, our overall friendship, which spans almost 30 years, transcends any professional relationship we may have. We have been privileged to get to know Sharon, Richard's wife, a brilliant lawyer herself, and met Richard's children. We became and remained close friends.

Upon my retirement from the EEOC in 2001, I asked Richard to preside over my retirement party. He did and I was honored to be asked to join the firm of Lehr, Middlebrooks, Vreeland and Price (which now of course is Lehr, Middlebrooks, Vreeland and Thompson). I accepted with great pleasure. At Lehr Middlebrooks since then, it has been both a great honor and great pleasure to get to know better David Middlebrooks, Al Vreeland, and Michael Thompson all of whom so patiently have taught me how to represent employers rather than charging parties.