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| AGENCY NAME: | COMMISSION ON HUMAN AFFAIRS | | |
| AGENCY CODE: | L360 | SECTION: | 070 |

Fiscal Year 2020–2021 Accountability Report

SUBMISSION FORM

I have reviewed and approved the data submitted by the agency in the following online forms:

- Reorganization and Compliance
- Strategic Plan Results
- Strategic Plan Development
- Legal
- Services
- Partnerships
- Report or Review

I have reviewed and approved the financial report summarizing the agency’s budget and actual expenditures, as entered by the agency into the South Carolina Enterprise Information System.

The information submitted is complete and accurate to the extent of my knowledge.

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|---|--------------------|
| AGENCY DIRECTOR (SIGN AND DATE): | Signature on file. |
| (TYPE/PRINT NAME): | Janie A. Davis |

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| BOARD/CMSN CHAIR (SIGN AND DATE): | Signature on file. |
| (TYPE/PRINT NAME): | John A. Oakland |

FY 2020-2021 Agency Accountability Report
Reorganization and Compliance Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the

HUMAN AFFAIRS COMMISSION

Primary Contact:

| First Name | Last Name | Role/Title | Phone | Email Address |
|------------|-----------|---|--------------|---------------------|
| Stephani | Frese | Director of Technical Services and Training | 803-737-7805 | sfrese@schac.sc.gov |

Secondary Contact

| First Name | Last Name | Role/Title | Phone | Email Address |
|------------|-----------|------------|--------------|--------------------|
| Dan | Koon | Deputy | 803-737-7832 | danny@schac.sc.gov |

Agency Mission

The Mission of the South Carolina Human Affairs Commission is to eliminate and prevent unlawful discrimination in: employment on the basis of race, color, national origin, religion, sex, age, and disability; housing on the basis of race, color, national origin, religion, sex, familial status, and disability; and public accommodations on the basis of race, color, national origin, and religion thereby promoting harmony and the betterment of human affairs for all people.

Adopted in: 2020

Agency Vision

The South Carolina Human Affairs Commission's Vision is to be well known statewide and nationally, with a positive image and a mission that is understood and accepted by the public. SCHAC is a fully resourced, customer-friendly agency with a diverse, well-trained and efficient team working together effectively in a safe and supportive work environment in fulfillment of the agency's mission.

Adopted in: 2020

Recommendations for reorganization requiring legislative change.

No

Please list significant events related to the agency that occurred in FY 2020-2021.

| Month Started | Month Ended | Description of Event | Agency Measures Impacted | Other Impacts |
|---------------|-------------|------------------------|--------------------------|---------------|
| November | June | Internal Restructuring | All | Processes |
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Does the agency intend to make any other major reorganization to divisions, departments, or programs to allow the agency to operate more effectively and efficiently in FY 2021-22?

Note: It is not recommended that agencies plan major reorganization projects every year. This section should remain blank unless there is a need for reorganization.

Yes

Ongoing internal restructuring continues into FY2021-22.

Is the agency in compliance with S.C. Code Ann. § 2-1-220, which requires submission of certain reports to the Legislative Services Agency for publication online and the State Library? See also S.C. Code Ann. § 60-2-20.

Yes

If not, please explain why.

Is the agency in compliance with various requirements to transfer its records, including electronic ones, to the Department of Archives and History? See the Public Records Act (S.C. Code Ann. § 20-1-10 through 20-1-180) and the South Carolina Uniform Electronic Transactions Act (S.C. Code Ann. § 26-6-10 through 26-10-210).

Yes

These responses were submitted for the FY 2020-2021 Accountability Report by the

HUMAN AFFAIRS COMMISSION

Does the law allow the agency to promulgate regulations?

Yes

Please list the law number(s) which gives the agency the authority to promulgate regulations.

S.C. Code Ann. §§1-13-70(c); 31-21-100(1); 45-9-110

Has the agency promulgated any regulations?

Yes

Is the agency in compliance with S.C. Code Ann. § 1-22-120(J), which requires an agency to conduct a formal review of its regulations every five years?

Yes

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AGENCY’S DISCUSSION AND ANALYSIS

This discussion provides the reader with a historical background about current program operations established to implement the statutory authority of the South Carolina Human Affairs Commission (SCHAC). The racial unrest of the late 60’s and early 70’s gave birth to SCHAC, i.e., the Orangeburg Massacre in 1968; the Charleston Hospital Workers Strike in 1969; school integration across the state in 1969; and the nationally publicized Lamar bus attack in 1970. These incidents led then Governor John C. West and members of the South Carolina General Assembly to pass the South Carolina Human Affairs Law (SCHAL) in 1972, which created SCHAC. State statutes give SCHAC the authority to investigate allegations of unlawful discrimination in employment and housing; monitor fair employment practices in state government; and work across 46 counties to promote harmony and the betterment of human affairs. SCHAC enforces the South Carolina Human Affairs Law; the South Carolina Fair Housing Law; the Equal Enjoyment and Privileges to Public Accommodations Law; the Pregnancy Accommodations Act; and the Lactation Support Act. The South Carolina Human Affairs Law makes employment discrimination unlawful based upon race, color, sex, national origin, religion, age, or disability. Similarly, the South Carolina Fair Housing Law makes it unlawful to discriminate in housing and associated benefits based on race, color, sex, national origin, religion, familial status, or disability. The South Carolina Public Accommodations Law prevents discrimination in access to public facilities (e.g., restaurants, hotels, recreational parks, and other facilities) based on race, color, national origin, and religion. Finally, women are protected from unlawful discrimination due to pregnancy, lactation, and related issues through the Pregnancy Accommodations Act and the Lactation Support Act.

SCHAC has three (3) program areas: Consultative Services, Compliance Programs and Administrative Services. It is these programs that carry out the agency’s mission to “**prevent and eliminate**” unlawful discrimination. Since the creation of the agency 49 years ago, South Carolina has made strides in race relations and community harmony. **People have learned to live and work together. Despite the progress made, the unrest of 2020 lets us know we cannot take progress for granted.** Through the prevention work of the Community Relation Division, SCHAC works with local governments and citizens to address problems before they escalate to discord, community unrest, property loss or loss of life. Additionally, the Technical Services and Training Division monitors state agencies, colleges and universities’ hiring practices impacting approximately 60,000 state employees; provides an Annual Report to the General Assembly showing employment trends in state government and progress towards fair employment based upon qualified applicants; and conducts training to educate public and private sector employers how to effectively and legally implement fair employment practices.

The most recognized work of SCHAC entails our actions to eliminate unlawful discrimination. SCHAC serves as this state’s “Fair Employment Practices Agency” (FEPA). This means that the agency has a work-sharing agreement with the United States Equal Employment Opportunity Commission (EEOC) and that allegations of unlawful discrimination are dual filed with both agencies. In most instances, the complaint will be investigated by SCHAC in keeping with the intent of the General Assembly when passing the SCHAL. This is in keeping with the preference of South Carolina’s public and private employers that such matters be handled at the state level. Additionally, SCHAC has been designated to administer the state’s Fair Housing Assistance Program (FHAP) by the United States Department of Housing and Urban Development (HUD) and, as such, investigates allegations of unlawful housing discrimination on behalf of HUD across the state.

The “elimination” of unlawful discrimination is enforceable through the work of the Legal Department which may litigate ‘for cause’ cases and enforce subpoenas against parties that fail to comply with requests for information and comply with a finding of unlawful discrimination. The Legal Department may institute Subpoena Enforcement Actions at the Administrative Law Court. Additionally, members of the Board of Commissioners may hear employment and housing cases that are litigated based on the findings of SCHAC investigative staff. No hearings

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were held during the SFY 2020-2021. The Legal staff may also argue matters before the South Carolina Administrative Law Court and the Circuit Courts of South Carolina.

SCHAC’s work continues to be relevant and pertinent. Without the administrative remedies available through SCHAC, there would likely be more community unrest, workplace violence, clogged court dockets, and tremendous back pay and court costs for public and private employers. The following narrative and charts provide an analysis of the productivity and levels of success accomplished during SFY 2020-2021.

Board of Commissioners:

This document correctly defines the work of the agency and the superb use of budgeted resources to carry out the statutory mandates of SCHAC. In the 2017 House Legislative Oversight Review process, it was pointed out to the oversight panel that SCHAC had been grossly underfunded since the Recession of 2008, due to the subsequent budget cuts. As a result, SCHAC was hampered in its ability to carry out its mission to the fullest extent. The issues that the Oversight Committee confirmed must be addressed by the Legislature and Governor to support the organization were: 1) turnover of employees, and 2) carrying out the Community Relations mandate as specified in the SCHAL.

The Agency Director/CAO made addressing the 2017 House Legislative Oversight Review findings a priority during SFY 2020-2021 and worked with the Legislature and Governor to address the two findings noted. As a result of working with the Legislature and Governor, the agency received additional funding to increase employee salaries to address retention/turnover and was granted one additional FTE and funding for the Community Relations Division. The CAO restructured the agency, reestablishing the two-deputy structure; one deputy responsible for overseeing the Consultative Services Programs (“prevention”), while the other deputy oversees the EEOC and HUD investigative areas, Compliance Programs (“elimination”). This structure allows better accountability to ensure that the agency mission, “to prevent and eliminate” unlawful discrimination is accomplished. To better address employee retention, the agency underwent a Classification and Compensation Study that afforded upward mobility in the classifications and provided promotional pathways to new positions and opportunities.

Additionally, the racial protests and sometimes violent reaction to police brutality this past year brought to our attention the lack of adequate SCHAC staff to effectively respond to these matters. As a result, the Commissioner/CAO created a new vision for the Community Relations Program, which was revealed in a new 2020 publication entitled: *Community and Race Relations Guide*. The publication seeks to provide information to local leaders and communities regarding the powers of SCHAC and the powers afforded local Councils through the South Carolina Human Affairs Law to address problems in human affairs and race relations. The publication provides guidance regarding establishing Community Relations Council’s across the state to address racial unrest and promote a better quality of life for all citizens. Read more about the work and vision for the Community Relations Division on pages 5 and 6.

Major Achievements in the Program Area of Consultative Services / “Prevention” of Unlawful Discrimination

Under the program budget area of Consultative Services, the Divisions of Technical Services and Community Relations accomplished the following:

1) **Technical Services and Training Division**

SCHAC successfully monitored the hiring and promotions of employees in 90 State agencies, and on February 1, 2021, issued the “Annual Report to the General Assembly on the Status of Equal Employment Opportunity

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in South Carolina State Government". SCHAC uses the Computerized Affirmative Action Management System (CAAMS) to evaluate employment data provided by each State agency in the monitoring of their recruitment, hiring, and promotion practices. CAAMS assesses statistical data provided, creates affirmative action plans (AAP), and reports on each State agency's goal attainment in employment. Affirmative Action Plans and programs are used to eliminate preferences, not to create them. If followed, the AAP becomes the guide for a program that should result in fair employment for all people based on race and sex, including white males. In the last year, two (2) agencies maintained exempt status, granted when agencies employ minorities/women at rates reasonably expected, based on the availability of qualified people to fill positions; four (4) agencies achieved 100% of their goal attainment; seven (7) agencies brought their goal attainment up by 5% or more, and one increased it by more than 10 percent.

Training is another important way to prevent and eliminate discrimination. The Technical Services and Training Division provided 51 training sessions to seven (7) State agencies and eight (8) county government/other entities, impacting 1765 employees during SFY20-21. Prevention is achieved by educating Human Resource personnel and employees about EEO Laws and professionalism in the workplace. SCHAC continued to see an increase in employers requesting training for employees to prevent claims of unlawful discrimination. While the COVID-19 pandemic negatively impacted the agency's ability to provide in-person training for much of the reporting period, staff were able to provide interactive virtual training as an alternative and resumed in-person training later in SFY 2020-2021. Additional training options were developed and implemented during this time to increase outreach, education, and meet the training needs of employers.

2) **Community Relations Division**

The COVID-19 pandemic greatly impacted the operations of the Community Relations Division and the establishment of Community Relation Councils (CRC's) across the State. However, the Division used the lack of travel time and face to face meetings to reassess the work of the Division; published a new Community Relations Guide; sought additional staffing and funding from the legislature; and planned how to move the work of the Division forward in keeping with the findings of the House Legislative Oversight Recommendations, i.e., establish performance measurements to determine the effectiveness of CRC's.

The Division has a new Director and two FTEs assigned to the program. Initiatives and priorities undertaken during the year include: 1) a new and enhanced Community Relations Web page to enhance educational and training opportunities for entities hoping to form Community Relation Councils, 2) the creation of a Community and Race Relations Guide to educate the public about the functions of a Community Relation Council and how to create a Council, and 3) the creation of a Community Relations Alert System to minimize the chances of loss of life and property due to community and racial unrest. The new alert system is based on the South Carolina Emergency Management Division's system that provides for alert designation for internal and external emergencies across the state. The three levels of operation are: Level 3: Normal Operations; Level 2: Enhanced Level of Awareness/Alert; and Level 1: Eminent Loss of Life and Property. SCHAC's alert system for the Community Relations Division would be delivered in the same six geographical areas that are used by the South Carolina Emergency Management Division.

SCHAC requested additional FTE positions to cover the six geographical areas needed to properly organize and effectively implement a successful statewide Community Relations Program. SCHAC expects this program area to continue to grow and need additional staffing beyond the two Community Relation Consultants, as more counties and communities face issues of racial disharmony and seek to find solutions. The CR Division is actively engaging city and county councils and other planning groups initiating efforts to revive and create new Community Relation Councils.

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The Community Relations Division maintains an informal partnership with the United States Department of Justice, Office of Community Relations Service (Atlanta Office) for technical support regarding matters of race and community relations. Additionally, the Community Relations Division is responsible for conducting investigations in compliance with the South Carolina Public Accommodations Law. During SFY 2020-2021, 46 cases were investigated under Statute 1-13-90 (e) and the Public Accommodations Law, in comparison to 31 investigated during SFY 2019-2020.

Major Achievements in the Program Area of Compliance Programs/ “Elimination” of Unlawful Discrimination

Investigations of allegations of unlawful discrimination in employment and housing are addressed in the Compliance Programs Division. The following areas of the agency contribute to the work of resolving these allegations: Equal Employment Opportunity (EEO) Intake and EEO Investigations; Fair Housing Intake and Investigations; and Legal Services/ Mediation/Conciliations. The EEOC contract operates on the federal fiscal year. The last completed contract year as of the writing of this report is FFY 2019-2020 and those numbers are reflected in this report.

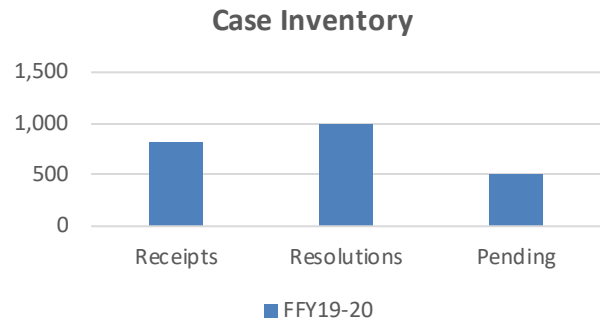
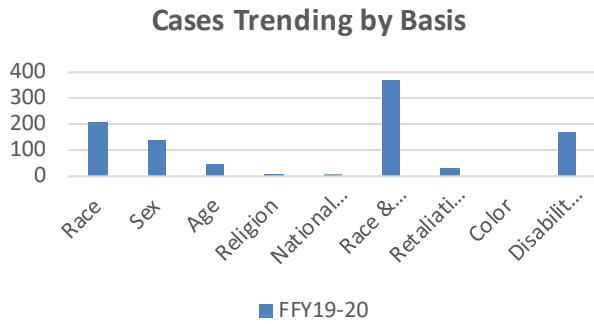
1) **Equal Employment Opportunity (EEO) Intake Department**

During FFY 2019-2020, the EEO Intake Department received approximately 4006 contacts. In response, 910 questionnaires were mailed to citizens desiring to file discrimination charges; 1235 questionnaires were returned through U.S. mail and through on-line services; 639 formal charges of discrimination were perfected and signed by Complainants; 549 charges of discrimination were retained by SCHAC for investigation; 90 charges were waived to other agencies for investigation primarily due to lack of SCHAC jurisdiction; and additionally, the EEOC waived 225 cases to SCHAC.

2) **EEO Enforcement Investigations**

During FFY 2019-2020, a total of 818 employment discrimination complaints were received for investigation from the Intake Department or transferred to SCHAC from the EEOC. (Any difference in Intake and Enforcement Reporting numbers related to Intake are due to waivers to and receipts from the EEOC.) This resulted in 989 final actions taken by SCHAC, 5 of which were no credit. Of those final actions: 211 were based on race; 137 were based on sex; 170 were based on disability; 49 were based on age; 9 were based on religion; 7 were based on national origin; 30 were based on retaliation; 6 were based on color; and 370 were on multiple bases (e.g., race, sex, and retaliation, or religion and national origin). The number of final actions or closures from the previous year increased by 59 and the pending inventory decreased by 203 cases.

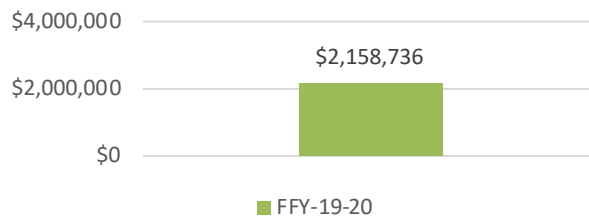
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| Cases Trending by Basis | |
|-------------------------|----------|
| | FFY19-20 |
| Race | 211 |
| Sex | 137 |
| Age | 49 |
| Religion | 9 |
| National Origin | 7 |
| Race & Sex/Multiple | 370 |
| Retaliation | 30 |
| Color | 6 |
| Disability/ADA | 170 |

Final Actions or closures issued by SCHAC during federal fiscal year are: 100 Administrative Closures (including 5 closures for no credit); 744 No Cause Determinations; 137 Conciliations/Settlements. The total monetary value of settlements achieved for the charging parties was \$2,158,736. Four (4) potential "Cause Cases" were forwarded to the EEOC for additional processing.

Total EEO Monetary Value of Settlements



During federal fiscal year ending September 30, 2020, SCHAC successfully completed a contract with the EEOC to investigate 980 cases, an increase of 59 investigations from the previous EEO federal contract.

3) Fair Housing Intake and Investigations

The Fair Housing Department prevents discrimination through education and outreach to communities around the State and investigates complaints of housing discrimination on the basis race, color, sex, religion,

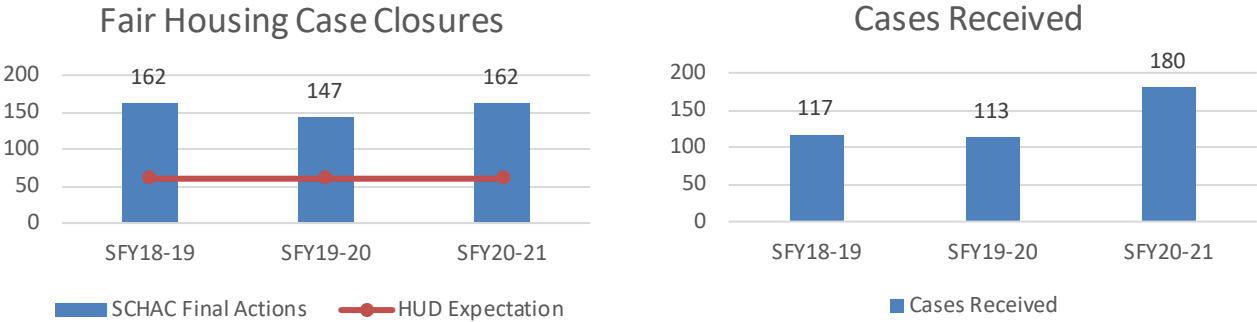
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national origin, disability, and familial status. To resolve these complaints, the Fair Housing Department may mediate or conciliate cases on behalf of the complainant and the respondent. If the respondent has violated the Fair Housing Law, SCHAC’s Legal Department must litigate a case in court or hold an administrative hearing on behalf of the aggrieved complainant.

The Fair Housing Department works with the United States Department of Housing & Urban Development (HUD). Performance standards for the Fair Housing Assistance Program (FHAP) require agencies to process a "reasonable number" of complaints. Specifically, 24 C.F.R. § 115.206(e)(7) states: “The agency must demonstrate that it receives and processes a reasonable number of complaints cognizable under both the federal Fair Housing Act and the agency’s fair housing statute or ordinance. The reasonable number will be determined by HUD based on all relevant circumstances including, but not limited to, the population of the jurisdiction that the agency serves, the length of time that the agency has participated in the FHAP, and the number of complaints that the agency has received and processed in the past.” Note the HUD contract fiscal year runs from July 1st – June 30th.

Based on South Carolina’s population, HUD expects SCHAC to close at least 60 cases per fiscal year. During SFY 2020-2021, the Fair Housing Department completed 162 cases. The Fair Housing Department has consistently exceeded performance over the past three contact years and continued this success despite the pandemic. During SFY 2020-2021, the HUD revenue is estimated to be \$577,400, after vouchering for \$571,395.00, and \$477,647.00 during the prior two fiscal years. The Fair Housing Department closed 50% of the cases within 100 days. As a result of these successes, HUD has renewed the Memorandum of Understanding with SCHAC. This is the fourth time (four consecutive years) in the agency’s history that over 100 housing cases have been closed during the state fiscal year.

During SFY 2020-2021, SCHAC received 180 new housing cases.



4) Legal, including Mediation/Conciliation

The Legal Department, which (among other functions) carries out the agency’s mission through the enforcement provisions of SCHAC’s laws, instituted six (6) housing hearings related to ‘for cause’ investigations this fiscal year, four (4) of which were removed to state Circuit Court at the election of a party. In employment, two (2) hearings are pending against state agencies in ‘for cause’ matters. During the fiscal year, SCHAC received Six Thousand (\$6,000) Dollars in civil penalties as awards obtained by the legal department in matters it resolved. Mediations are important because they give the charging party and the respondent an opportunity to resolve their issues and come to mutually agreed terms in settling the matter without a full investigation or court involvement. Out of 114 mediations, 75 complaints were successfully

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mediated for a total of \$970,719.32 during FFY 2019-20. This represents a \$40,652.32 increase from the previous year. The remaining 39 cases continued to full investigation.

Major Achievements in Administration:

Agency leadership successfully moved agency staff home and back to the office in response to the COVID-19 virus. New policies and procedures to ensure the safety and continued productivity of SCHAC were implemented. All employees returned to the office by the end of April 2021. Despite additional costs to make telecommuting possible, such as cell phones and computers, the agency ended the 2021 fiscal year having expended 72.0% of its budget.

During this reporting period, the Commissioner/CAO implemented: 1) a two-deputy structure focused on implementation of the agency’s mission, “to prevent and eliminate” unlawful discrimination; and 2) internally restructured and reorganized the agency to keep personnel focused in the two distinct program areas pertaining to the “prevention and elimination” of discrimination. The restructuring involved the selection of a new Housing Director, the creation and hiring of an EEO Enforcement Director, and the selection of a new Community Relations Director. A Classification and Compensation Study affecting all employees was conducted to improve agency process management and employee retention. During much of SFY 2020-2021, most staff worked from home until late March 2021. In addition to the major accomplishments in program areas, additional administrative goals, strategies, and objectives achieved included: the consistent use of the EPMS on an annual universal date; monthly management meetings to review expectations and standards; increased customer awareness through the agency website, social media, and outreach; and, partnering with three federal agencies– EEOC, HUD, and DOJ. Oversight of the following administrative support functions, i.e., budgeting, accounts payable, and reporting; clean state and federal audits; human resource management; procurement; building services and maintenance; and implementation of other services, ensured the smooth daily operation of the agency.

Internal and External Factors Affecting SCHAC’s Performance:

Internal:

As noted in 2017 discussions with members of the House Legislative Oversight Committee, SCHAC is working to improve the retention rate of employees who are regularly hired away by other larger state agencies/private sector employers able to pay more. The financial burden of hiring and training an employee to become efficient, only to lose the employee to another entity that pays more is a dilemma. To retain the current work force, SCHAC allows qualified employees to work from home; allows variable and compressed schedules to create greater work/life balance; provides financial/bonus incentives for quality work; and has a policy to allow new parents to bring their infants to work for the first six months of the newborn’s life to allow bonding between parent and child, which reduces daycare cost for families (with guidelines to prevent disruption for co-workers). While these employee retention initiatives help employees, leadership worked with the General Assembly and the Governor this past legislative session to secure increased funding for salaries to help improve the retention of employees.

SCHAC still suffers from the effects of the Great Recession of 2008. From 2008 through 2012, SCHAC laid-off more than half its employees. The Community Relations Division had no assigned staff and other areas of the office suffered deep staff reductions. To help the agency remain operational, employees endured prolonged pay cuts and assumed additional functions to keep the agency operational. The structure and functions of the organization were realigned to accommodate the cuts. In SFY 2020-2021, restructuring began the process to improve agency efficiency. An additional FTE in Community Relations and subsequent recurring funding were secured. Additional FTEs and recurring funding will continue to be sought to properly fund “prevention” functions.

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External:

Oftentimes, SCHAC finds itself unable to fashion an appropriate remedy to address unlawful discrimination. In the South Carolina House Legislative Oversight Committee Report (2017), the Committee recommended statutory changes to outline relief in public accommodations, empower SCHAC with investigative authority, and to protect against discrimination on other bases by amending S.C. Code § 45-9-10(A).

Based on the 2017 review by the House Legislative Oversight Committee, it was recommended that the General Assembly amend the S.C. Code § 1-13-90(d)(6) to provide a complainant adequate opportunity to file a civil suit following a SCHAC investigation. For the full recommendation of the Legislative Oversight Committee, please see pages 7 and 8 of their Study of the Human Affairs Commission at:

(https://scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/HumanAffairsCommission/Full_Committee_Study-SCHAC.PDF).

SCHAC also seeks to amend S.C. Code Ann. § 31-21-140(A) to increase legislative clarity so SCHAC will know if it should file suit in State courts after a year from the date of alleged violation or some later time (if the charging party or respondent elects for a lawsuit instead of an Administrative Hearing), and to be consistent with the Fair Housing Act.

These are matters of the law that must be addressed by the General Assembly to give citizens more opportunities for redress when they file an allegation of unlawful discrimination with SCHAC.

Restructuring Recommendations: N/A

Risk Assessment and Mitigation Strategies:

Listed below are matters that could hamper SCHAC from accomplishing its goals and objectives and negatively impact services to the public.

Internal to SCHAC:

- Health Risk/Poor Air Flow and water leakage from roof and outside walls

Negative Impact to Public/Staff – potential damage to facilities and equipment and safety of employees

Nature/Level of Help Needed – Department of Administration (Admin) completed services to replace air-flow systems in the building, but air flow quality has not improved in some office areas and needs further improvements. Admin has begun to repair water leakage in Board Room and Break Area to prevent water entering building, and this work task should be completed in 2021. However, Admin has not addressed a complete remedy for roof repair, but only provided patch work.

General Assembly Response –

- 1) Provide Admin with capital improvement funds to address roof problems, thus mitigating water issues contributing to toxic mold, mildew, and other respiratory issues impacting the staff and the public. Resolving this issue will also prevent potential damage to office equipment and potential internal building maintenance and structural issues.

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2) Funds to relocate to another building due to inability to fix roof issues in timely manner and deterred maintenance associated cost.

- Office Space – SCHAC, still recovering from major financial cuts after the 2008 recession, is working to add new FTEs to maintain the proper agency operations to carry out the legislative mandate. Additional Office space is needed.

Negative Impact to Public/Staff – Employees in close quarters with poor air circulation are more susceptible to the infection of viruses and cannot effectively perform job duties. The public will suffer from not receiving adequate services that prevent and eliminate discrimination.

Nature/Level of Help Needed – Admin to assist with finding state office space to adequately house SCHAC employees

General Assembly Response - None

- Financial – Uncertainty of whether SCHAC will receive additional funding to address the civil and racial issues impacting our state remains an issue. This inability to help local communities properly respond due to lack of sufficient funding/staffing could seriously cause damage to property and loss of life.

Negative Impact to Public – Minimal on the ground coverage to communities

Nature/Level of Help Needed – Increased FTEs and funding

General Assembly Response –

- 1) Funding for Community Relations Program
- 2) Help establish Community Relation Councils in districts
- 3) Meet with law enforcement and concerned leaders to find common ground to maintain peace/harmony in state

External to SCHAC:

- Demonstrations/Civil Disturbance - Unfortunately, South Carolina, like other parts of the country, is not immune to police brutality, protest (violent and non-violent), far right and far left extremists, tragic incidents of racism leading to death, and other forms of unlawful discrimination.

Negative Impact to Public – Fear in schools, workplaces, and communities

Nature/Level of Help Needed – Partnerships with Community Leaders and Protestors

General Assembly Response –

- 1) Funding for Community Relations Program
- 2) Help establish Community Relation Councils in districts
- 3) Meet with law enforcement and community leaders to find common ground to maintain peace/harmony in state

Law enforcement can squash unrest and clear the streets, but it takes people to maintain peace in their own communities through respect, dialogue, and empathy.

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- Workplace/Safety Risk—SCHAC has always handled disturbances from people unhappy with the outcome of a decision made by the agency. The agency limits access to the agency and staff personnel in several ways. However, as the profile of the agency is raised to address current issues of community and racial unrest, it exposes the public and SCHAC staff to increased acts of violence

Negative Impact to Public/Staff – Safety Concerns and Disruption to Workflow

Nature/Level of Help Needed – Increase Rotation of State House Security Personnel

General Assembly Response –

- 1) New funding for security cost/contractual security personnel
- 2) Increase Rotation of DPS/BPS and State House security personnel

Conclusion

The country continues to be divided politically and racially. The work of this agency stirs up strong feelings regardless of what side of the political or racial divide one finds themselves. Some feel we do too much, while others feel we don't do enough. Some think we are no longer needed, while others feel just the opposite. Depending upon who you ask, people will tell you we find for the complainants all the time. If you ask another group, they will tell you we always find for the respondent. Both would of course be wrong. However, what is correct is that SCHAC must always handle all complaints in an impartial manner and uphold its responsibility to remain a neutral fact-finding agency.

The work of this agency has the potential to impact every person in the state because most people will be employed, need housing, and may have children at some point in their adult life. Everyone has a race, color, sex, and national origin. If one lives to age 40, he/she will automatically be protected from age discrimination. Additionally, a person may or may not have a disability or a religious affiliation. Regardless, fair employment practice laws protect persons from disability and religious discrimination. Likewise, familial status is protected by fair housing law. At some point in our lives, we all may need these protections.

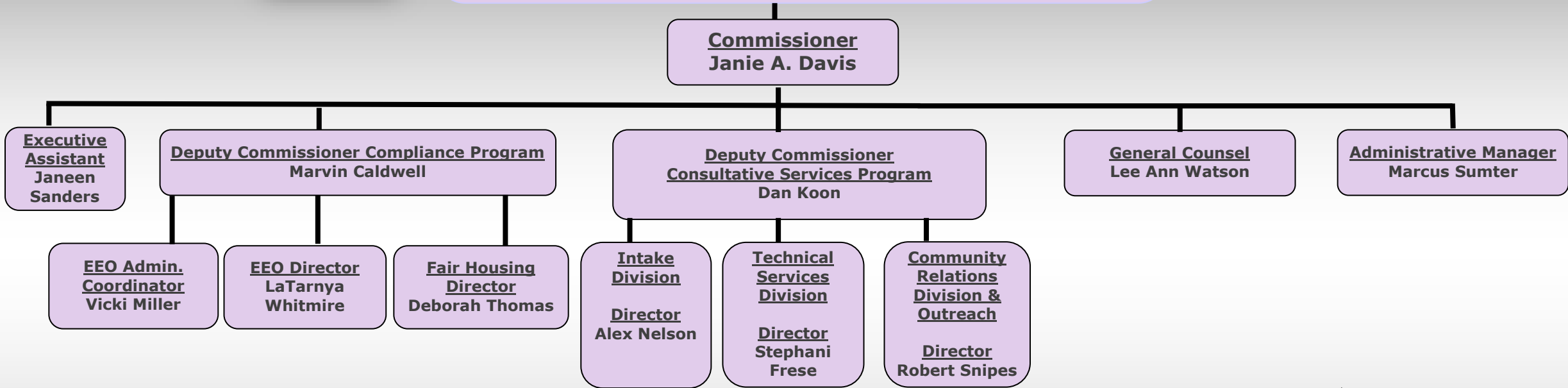
The work of SCHAC helps everyone. When people have disagreements in the workplace, SCHAC provides an opportunity for people to resolve their issues in a fair and non-violent manner. We contend that workforce violence is minimized because of the presence of SCHAC. Disputes can be resolved without a drawn-out process. SCHAC's presence as an administrative agency limits the need for adjudication of matters in the court system. Additionally, the help and presence of the Community Relations staff across the state and in communities, has the potential to address discord and racial problems early. These kinds of Community Relation activities help people remember how and when people of all races came together, to help each other recover from disasters such as: hurricanes, tornadoes, river flooding, fires, train accidents and derailments, the 100 Year Flood, etc.; everybody helping everybody, thereby promoting harmony and the betterment of human affairs for all citizens across the State. This is the South Carolina we all love and one worth fighting for!

The economic and social transformation which the State has achieved in modern times will continue to be successful if State government consistently prioritizes the principles on which SCHAC was founded: the belief that all people have the right to equal employment opportunities, fair housing, access to public accommodations and equal justice for all.

South Carolina Human Affairs Commission Organizational Chart FY 2020-2021



Board of Commissioners
 John A. Oakland, Chair
 Cheryl F.C. Ludlam, Vice Chair
 Harold Jean Brown-Williams Andrew C. Williams Leon Winn



These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Goal Enhance the reputation of the State as a diverse and inclusive community by preventing discrimination through training, outreach and community relations | | | | | | | | | | | | | | |
|---|--|------|--------|--------|------------|-----------------|---------------------------------------|--|-----------------------------------|--|---------------------|---|---|-------|
| Strategy 1.2 | | | | | | | | | | Statewide Enterprise Objective | | | | |
| Conduct a computer analysis of each Agency's hiring and promotion practices during FY 2019-20 | | | | | | | | | | Maintaining Safety, Integrity and Security | | | | |
| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
| 1.2.1 | 95% of required State agencies meet 70% of their employment goals for minorities and women based on availability estimates of the qualified labor pool | 98% | 95% | 97% | Percent | Maintain | State Fiscal Year (July 1 - June 30). | CAAMS | Annual Report to General Assembly | CAAMS | General Assembly | Status of EEO in State Govt | 0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000 | |
| 1.2.2 | Provide technical assistance to 100% of Agencies requiring assistance with goal attainment in their Affirmative Action Plans | 100% | 100% | 100% | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number of agencies requesting assistance / Responses to agencies | SCHAC Activity Reports - Monthly | CAAMS | State Agencies | Monitoring of EEO in State Govt and AAPs. | 0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000 | |
| 1.2.3 | Monitor 100% of Agencies who have not met the State goal attainment for Affirmative Action Plans | 100% | 100% | 100% | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number of non-compliant agencies assisted / Number of non-compliant agencies | SCHAC Activity Reports - Monthly | CAAMS; SCHAC database | State Agencies | AAP feedback | 0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000; | |
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| Goal Eliminate Employee Discrimination through Enforcement of the Human Affairs Law | | | | | | | | | | | | | | |
|---|--|------|--------|--------|------------|-----------------|---------------------------------------|---|----------------------------------|--|--|----------------------------|---|-------|
| Strategy 2.2 | | | | | | | | | | Statewide Enterprise Objective | | | | |
| Enforce compliance with agreements/settlements and legal orders through monitoring | | | | | | | | | | Maintaining Safety, Integrity and Security | | | | |
| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
| 2.2.1 | Review 100% of agreements/settlements annually | 100% | 100% | 100% | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number reviewed / Number of orders | SCHAC Activity Reports - Monthly | Legal | Charging Parties, Respondents, and General Public | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.2.2 | Review 100% of legal orders annually | 100% | 100% | 100% | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number reviewed / Number of orders | SCHAC Activity Reports - Monthly | Administrative | Charging Parties or Respondents and General Public | Resolution of Complaint | 0100.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.2.3 | Enforce 100% of legal orders against respondents who fail to comply, as needed | 100% | 100% | 100% | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number of enforcements / Number of orders | SCHAC Activity Reports - Monthly | Legal | Charging Parties and General Public | Resolution of Complaint | 0100.000000.000; 9500.050000.000; 9801.030000.000 | |
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These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Goal Eliminate Employee Discrimination through Enforcement of the Human Affairs Law | | | | | | | | | | | | | | |
|---|---|-------|--------|--------|------------|--------------------------|--|---|--|--|--|----------------------------|---|-------|
| Strategy 2.3 | | | | | | | | | | Statewide Enterprise Objective | | | | |
| Encourage conciliated resolutions between charging parties and respondents | | | | | | | | | | Maintaining Safety, Integrity and Security | | | | |
| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
| 2.3.1 | Utilize the mediators for 10% of our employment cases | 13.9% | 10.0% | 11.6% | Percent | equal to or greater than | Federal Fiscal Year (October 1 - September 30) | Number held / Number Closed | Mediation Monthly Report | Legal | Charging Parties, Respondents, Attorneys, and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.3.2 | Employment Investigators negotiate settlement for 10% of their employment cases | 15.8% | 10.0% | 14.0% | Percent | equal to or greater than | Federal Fiscal Year (October 1 - September 30) | Cases Settled by Employment Investigators / Cases Completed | Compliance Program State Report and Mediation Report | EEO Enforcement | Charging Parties, Respondents, Attorneys, and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.3.3 | Mediators have a 50% success rate for mediations scheduled | 64.8% | 50.0% | 65.0% | Percent | equal to or greater than | State Fiscal Year (July 1 - June 30). | Successful / Held | Mediation Monthly Report | Legal | Charging Parties, Respondents, Attorneys, and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000 | |
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These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Goal: Eliminate Housing Discrimination through Enforcement of the Fair Housing Law | | | | | | | | | | | | | | |
|--|--|------|--------|--------|------------|--------------------------|---------------------------------------|--------------------------------------|--|--|--|----------------------------|---|-------|
| Strategy: 3.1 | | | | | | | | | | Statewide Enterprise Objective | | | | |
| Implement an efficient processing system for Housing discrimination complaints | | | | | | | | | | Maintaining Safety, Integrity and Security | | | | |
| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
| 3.1.1 | Close 80% of cases received in SFY 2019-20 | 112% | 80% | 99% | Percent | equal to or greater than | State Fiscal Year (July 1 - June 30). | Cases Closed / Cases Received | Status of Fair Housing Complaint Activity Report | HEMS- Housing Enforcement | Charging Parties, Respondents, Attorneys, and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 3.1.2 | 85% or more of closures accepted by HUD during the SFY | 100% | 85% | 91% | Percent | equal to or greater than | State Fiscal Year (July 1 - June 30). | Cases Accepted by HUD / Cases Closed | Status of Fair Housing Complaint Activity Report | HEMS- Housing Enforcement | HUD | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
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These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

Goal Enhance the reputation of the State as a diverse and inclusive community by preventing discrimination through training, outreach and community relations

Strategy 1.3 **Statewide Enterprise Objective**

Provide outreach and community relations opportunities to promote the Agency's mission across the State Maintaining Safety, Integrity and Security

| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
|----------------|--|-------|--------|--------|------------|--------------------------|---------------------------------------|------------------------|----------------------------------|-----------------------|-----------------------------|----------------------------|---|-------|
| 1.3.1 | Number of Outreach Opportunities each SFY - Public | 3341 | 1221 | | Count | equal to or greater than | State Fiscal Year (July 1 - June 30). | Count of opportunities | SCHAC Activity Reports - Monthly | Consultative Services | General Public and Industry | Education and Awareness | 0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000 | |
| 1.3.2 | Number of Outreach Opportunities each SFY - Professionals | 36409 | 328 | | Count | equal to or greater than | State Fiscal Year (July 1 - June 30). | Count of opportunities | SCHAC Activity Reports - Monthly | Consultative Services | General Public and Industry | Education and Awareness | 0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000 | |
| 1.3.3 | Number of clicks to agency website links received through media advertisements | 8495 | 1716 | | Count | equal to or greater than | State Fiscal Year (July 1 - June 30). | Count of clicks | SCHAC Activity Reports - Monthly | Consultative Services | General Public and Industry | Education and Awareness | 0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000 | |
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These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Goal Eliminate Employee Discrimination through Enforcement of the Human Affairs Law | | | | | | | | | | | | | | |
|---|--|------|--------|--------|------------|-----------------|---------------------------------------|---|----------------------------------|--|--|----------------------------|---|-------|
| Strategy 2.2 | | | | | | | | | | Statewide Enterprise Objective | | | | |
| Enforce compliance with agreements/settlements and legal orders through monitoring | | | | | | | | | | Maintaining Safety, Integrity and Security | | | | |
| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
| 2.2.1 | Review 100% of agreements/settlements annually | 100% | 100% | | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number reviewed / Number of orders | SCHAC Activity Reports - Monthly | Legal | Charging Parties, Respondents, and General Public | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.2.2 | Review 100% of legal orders annually | 100% | 100% | | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number reviewed / Number of orders | SCHAC Activity Reports - Monthly | Administrative | Charging Parties or Respondents and General Public | Resolution of Complaint | 0100.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.2.3 | Enforce 100% of legal orders against respondents who fail to comply, as needed | 100% | 100% | | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number of enforcements / Number of orders | SCHAC Activity Reports - Monthly | Legal | Charging Parties and General Public | Resolution of Complaint | 0100.000000.000; 9500.050000.000; 9801.030000.000 | |
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These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Goal Eliminate Employee Discrimination through Enforcement of the Human Affairs Law | | | | | | | | | | | | | | |
|---|---|------|--------|--------|------------|--------------------------|--|---|--|--|--|----------------------------|---|-------|
| Strategy 2.3 | | | | | | | | | | Statewide Enterprise Objective | | | | |
| Encourage conciliated resolutions between charging parties and respondents | | | | | | | | | | Maintaining Safety, Integrity and Security | | | | |
| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
| 2.3.1 | Utilize the mediators for 10% of our employment cases | 12% | 10% | | Percent | equal to or greater than | Federal Fiscal Year (October 1 - September 30) | Number held / Number Closed | Mediation Monthly Report | Legal | Charging Parties, Respondents, Attorneys, and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.3.2 | Employment Investigators negotiate settlement for 10% of their employment cases | 14% | 10% | | Percent | equal to or greater than | Federal Fiscal Year (October 1 - September 30) | Cases Settled by Employment Investigators / Cases Completed | Compliance Program State Report and Mediation Report | EEO Enforcement | Charging Parties, Respondents, Attorneys, and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 2.3.3 | Mediators have a 50% success rate for mediations scheduled | 65% | 50% | | Percent | equal to or greater than | State Fiscal Year (July 1 - June 30). | Successful / Held | Mediation Monthly Report | Legal | Charging Parties, Respondents, Attorneys, and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000 | |
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These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Goal: Eliminate Housing Discrimination through Enforcement of the Fair Housing Law | | | | | | | | | | | | | | |
|---|---|-------|--------|--------|------------|--------------------------|---------------------------------------|--|--|--|---|----------------------------|---|-------|
| Strategy: 3.2 | | | | | | | | | | Statewide Enterprise Objective | | | | |
| Promote settlements/agreements and ensure compliance with settlements/agreements through monitoring | | | | | | | | | | Maintaining Safety, Integrity and Security | | | | |
| Measure Number | Description | Base | Target | Actual | Value Type | Desired Outcome | Time Applicable | Calculation Method | Data Source | Data Location | Primary Stakeholder | Stakeholder Need Satisfied | State Funded Budget Program Number Responsible | Notes |
| 3.2.1 | Conciliate more than 20% of Housing cases | 20.4% | 20.0% | | Percent | equal to or greater than | State Fiscal Year (July 1 - June 30). | Cases Conciliated / Cases Closed | Status of Fair Housing Complaint Activity Report | HEMS- Housing Enforcement | Charging Parties, Respondents, Attorneys and Legal System | Resolution of Complaint | 1000.000000.000; 9500.050000.000; 9801.030000.000 | |
| 3.2.2 | Review 100% of conciliations annually and audit respondents | 100% | 100% | | Percent | Maintain | State Fiscal Year (July 1 - June 30). | Number of conciliations / Monthly audits | Housing | Housing Enforcement | Charging Parties and General Public | Ensure compliance | 0100.000000.000; 9500.050000.000; 9801.030000.000 | |
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FY 2020-2021 Agency Accountability Report

Budget Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the

HUMAN AFFAIRS COMMISSION

| State Funded Program Number | State Funded Program Title | Description of State Funded Program | FY 2020-21 Expenditures (Actual) | | | | FY 2021-22 Expenditures (Projected) | | | |
|-----------------------------|--|---|----------------------------------|--------------|--------------|-----------------------|-------------------------------------|--------------|--------------|-----------------------|
| | | | General | Other | Federal | TOTAL | General | Other | Federal | TOTAL |
| 0100.000000.000 | Administration | CAO; Legal; Administrative Manager (HR and Procurement); | \$836,215.00 | -\$2,235.00 | \$47,117.00 | \$881,097.00 | \$707,045.00 | \$3,500.00 | | \$710,545.00 |
| 0502.000000.000 | Consultative Services | Technical Services and Training; Community Relations | \$275,125.00 | -\$2,000.00 | | \$273,125.00 | \$338,032.00 | \$18,000.00 | | \$356,032.00 |
| 1000.000000.000 | Compliance Programs | Fair Housing Enforcement; EEO Enforcement | \$946,325.00 | \$376,810.00 | \$327,595.00 | \$1,650,730.00 | \$996,674.00 | \$849,199.00 | \$547,530.00 | \$2,393,403.00 |
| 9500.050000.000 | State Employer Contributions | Employee Benefits (Retirement, Workers Comp, Unemployment Insurance taxes, etc.) | \$582,277.00 | \$117,937.00 | \$86,652.00 | \$786,866.00 | \$739,926.00 | \$155,457.00 | \$66,687.00 | \$962,070.00 |
| 9818.070000X000 | SC Pregnancy Accommodations Act Training - Act 244 | Provide training to businesses to inform them of their legal obligations under SCPAA. | \$979.00 | | | \$979.00 | | | | |

Legal Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|---|--------------------|---|--------------|------------|---|
| Provides structure to the investigation process and identifies responsibilities of the investigator, Commission members, and other staff. Explains the steps required prior to Agency enforcement of a subpoena. Provides clarity on the Administrative Hearing process. Explains the confidential nature of the file and gives guidance to the Agency regarding the production of file contents when requested by parties to the investigation or others. | Requires a service | 65-3. Investigation and Production of Evidence | State | Regulation | Adjudication of discrimination investigations |
| Establishes the means by which the Commission may accept charges of discrimination and investigate the same. This section establishes the subpoena power of the Agency regarding any complaint filed against a State agency or any other jurisdictional employer, labor organization, or employment agency. Empowers the Agency to conciliate a charge of discrimination. Provides processes and timelines for when parties shall respond to requests for information from the Agency. Establishes the procedures for holding hearings following the investigation process in employment matters filed against a State agency when a reasonable cause determination is issued. Requires that the Chairman designate a panel to hear the matter pursuant to the unlawful practices in Section 1-13-80 or 1-13-85, and based on the practices found in the Administrative Procedures Act of South Carolina. An Order must be issued from the Panel following the conclusion of the hearing, either finding in favor of the complaining party and awarding damages or injunctive relief, or dismissing the matter pending against the respondent state agency. This section further establishes the Commission's right to bring an action in circuit court for discriminatory employment practices. The law also provides recourse for a complainant who is issued a notice of right to sue following the dismissal of a charge. | Requires a service | 1-13-90. Complaints, Investigations, Hearings and Orders. | State | Statute | Adjudication of discrimination investigations |
| Provides that a civil action shall be commenced within one year of the alleged discriminatory housing practice, though that period may be tolled during portions of the investigation. Explains that a complainant does not need to exhaust an administrative remedy through the Human Affairs Commission prior to filing a lawsuit in civil court. States that relief in a matter brought under the Fair Housing Law may include any permanent or temporary injunction, temporary restraining order, or other order, and may award the plaintiff actual damages, and punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing party. | Requires a service | 31-21-140. Civil action; damages. | State | Statute | Adjudication of discrimination investigations |

**These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|--|---|---|--------------|---------|-------|
| Makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise of, or on account of his having aided or encouraged any other person in the exercise of, any right granted under the Fair Housing Law. | Requires a manner of delivery | 31-21-80. Interference with the exercise of any right under this chapter. | State | Statute | |
| Establishes the Commission (Board) and provides guidance on members who may be selected for the Board, and the appropriate methods of voting. | Board, commission, or committee on which someone from our agency must/may serve | 1 - 13 - 40. Creation of South Carolina Commission on Human Affairs. | State | Statute | |
| Limits the construction and application of the Human Affairs Law to those things which violate the law per section S.C. Code Ann. § 1-13-90; that violate Title VII of the Civil Rights Act of 1964, as amended, 42 U. S. C. Section 2000e et seq.; that violate the Age Discrimination in Employment Act of 1967, as amended, 29 U. S. C. Section 621 et seq.; or that violate the Americans with Disabilities Act of 1990, as amended, Public Law 101-336. | Requires a manner of delivery | 1-13-100. Construction and Application of Chapter. | State | Statute | |
| Requires that each State agency shall develop an Affirmative Action Plan to assure equitable employment for members of minorities and shall present the plans to the Agency on or by February 1 of each year. The Commission reports to the Department of Administration if a State agency has not satisfactorily complied with meeting its Affirmative Action goals. | Report our agency must/may provide | 1-13-110. Affirmative Action Plans by State Agencies; Approval by Commission; Action by General Assembly. | State | Statute | |
| Establishes that discrimination is unlawful and declares that the Agency was created by the General Assembly to promote harmony, and eliminate and prevent discrimination on the basis of race, religion, color, sex, age, national origin, or disability. | Requires a manner of delivery | 1-13-20. Declaration of policy. | State | Statute | |
| Provides definitions for terms within the Human Affairs Law, which help to establish the jurisdiction of and guidance to the Agency. | Requires a manner of delivery | 1-13-30. Definitions. | State | Statute | |
| Guides the Commission Board on selection of an Agency Head and additional staff. | Requires a manner of delivery | 1-13-50. Commissioner and personnel. | State | Statute | |
| Commands the Chairman to act as the presiding officer at meetings of the Commission and states that he shall promote the orderly transaction of its business. | Requires a manner of delivery | 1-13-60. Duties of chairman and vice-chairman. | State | Statute | |

**These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|--|------------------------------------|---|--------------|---------|---|
| Explains the Commission's powers, including (1) the ability to maintain an office or offices; (2) the ability to adopt bylaws; (3) the authority to promulgate regulations related to the chapter; (4) the authority to formulate policies to effectuate the purposes of this chapter and to make recommendations to appropriate parties in furtherance of such policies; (5) the ability to obtain and utilize upon request the services of all governmental departments and agencies; (6) the ability to create or recognize community councils to promote the Agency's mission; (7) the ability to work with the EEOC and accept reimbursement from it; (8) the ability to investigate charges of discrimination; (9) the ability to hold hearings following an investigation; and (10) the ability to petition for an order of a court of competent jurisdiction requiring compliance with an order issued by the Commission pursuant to the procedure set forth in item (16) of subsection (c) of Section 1-13-90; (11) the ability to accept grants, bequests, or donations; (12) and the ability to institute proceedings in a court of competent jurisdiction, for cause shown, to prevent or restrain any person from violating any provision of the chapter. | Requires a service | 1-13-70. Powers of Commission. | State | Statute | Adjudication of discrimination investigations |
| Establishes various unlawful employment practices, which the Commission has the power to investigate, and exceptions thereto. Requires notices to be posted at employers' businesses. Commands the Commission to develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment agencies, and applicants for employment about their rights and responsibilities. | Requires a service | 1-13-80. Unlawful employment practices; exceptions. | State | Statute | Adjudication of discrimination investigations |
| Establishes various unlawful employment practices related to medical inquiries and examinations which the Commission has the power to investigate. | Requires a manner of delivery | 1-13-85. Medical examinations and inquiries. | State | Statute | |
| Reaffirms the State's discrimination policy and describes the details required to be included in the Commission's report on State Agency Affirmative Action Plans and Programs. | Report our agency must/may provide | 117.13(GP: Discrimination Policy) | State | Proviso | |
| Explains the Commission's powers regarding the South Carolina Fair Housing Law, including (1) the ability to make regulations necessary to enforce the Fair Housing Law; (2) to make studies with respect to the nature and extent discriminatory fair housing practices; (3) the ability to work with the U.S. Department of Housing and Urban Development or another organizations and accept reimbursement from it; (4) the ability to accept gifts or bequests; and (5) the ability to institute proceedings in a court of competent jurisdiction, for cause shown, to seek appropriate temporary or preliminary injunctive relief pending final administrative disposition of a complaint. | Requires a service | 31-21-100. Powers of the Commission. | State | Statute | Adjudication of discrimination investigations |
| Establishes the Commission's investigatory power and the power to issue subpoenas. | Requires a service | 31-21-110. Investigations by commission; subpoenas. | State | Statute | Adjudication of discrimination investigations |

**These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|---|-------------------------------|---|--------------|---------|---|
| Explains the process by which a complaint of discrimination may be accepted for investigation at the Agency. Establishes the Commission's ability to conciliate matters through mutual agreements. Limits an investigation to 100 days unless there is a reason for an extension or delay. States that an investigation will end if a court action is filed regarding the matter. | Requires a service | 31-21-120. Complaints; process and handling; conciliation; effect of local laws; civil action. | State | Statute | Adjudication of discrimination investigations |
| Explains the procedures for completing an investigation and either dismisses the matter for lack of cause or recommends that the matter be heard in an administrative hearing before a panel of the Board of Commissioners because the complainant has met their burden of proof under Fair Housing Law. Establishes the right of either party to elect that a civil action be filed instead of an administrative hearing. Explains the hearing process if an administrative hearing is to be held. | Requires a service | 31-21-130. Investigator's report and recommendation; dismissal of or hearing on complaint; civil action; amending of complaint; subpoenas; hearing by commission; opinion and order; review; court appeals; enforcement orders. | State | Statute | Adjudication of discrimination investigations |
| States that the Agency will determine if a complainant has filed a similar complaint with the Federal Home Loan Bank Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation of the Federal Reserve System, the United States Department of Housing and Urban Development, or any other agency with authority to investigate and resolve complaints alleging a violation of this chapter in order to prevent duplicate complaints. | Requires a service | 31-21-150. Coordination regarding complaint filed with multiple agencies. | State | Statute | Adjudication of discrimination investigations |
| Establishes the State policy to provide fair housing throughout the State. | Requires a manner of delivery | 31-21-20. State policy. | State | Statute | |
| Provides definitions for terms within the Fair Housing Law, which help to establish the jurisdiction of the Agency, and guidance to the Agency and citizens of South Carolina. | Requires a manner of delivery | 31-21-30. Definitions. | State | Statute | |
| Establishes the prohibited discriminatory housing practices that the Commission has the power to investigate based on discrimination regarding sales or rentals of jurisdictional property. | Requires a manner of delivery | 31-21-40. Discrimination in relation to sale or rental of property. | State | Statute | |
| Establishes that it is unlawful to deny any person access to, or membership or participation in, any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings or to discriminate against him in the terms or conditions of the access, membership, or participation on account of their membership in a protected class (due to race, color, national origin, religion, gender, disability, or familial status). | Requires a manner of delivery | 31-21-50. Discrimination in relation to membership or participation in multiple listing service, real estate brokers' organization, or related service, organization, or facility. | State | Statute | |
| Defines the term "residential real estate-related transaction" and establishes that it is unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of the transaction, because of race, color, religion, sex, handicap, familial status, or national origin. | Requires a manner of delivery | 31-21-60. Discrimination in relation to residential real estate-related transactions. | State | Statute | |

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HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|--|-----------------------------------|---|--------------|---------|---|
| Further explains jurisdiction and clarifies the law by restricting the Fair Housing Law's application to certain housing providers. Expands unlawful discrimination related to a disability or handicap to include issues such as a housing provider's failure to accommodate, a failure to permit a modification, or non-compliance with ANSI requirements for accessible design. | Requires a manner of delivery | 31-21-70. Application and exceptions. | State | Statute | |
| Provides that the Human Affairs Commissioners shall administer the Fair Housing Law, but may delegate responsibilities to Commission staff, such as investigating, conciliating, hearing, determining, ordering, certifying, reporting. | Requires a service | 31-21-90. Administration of chapter. | State | Statute | Adjudication of discrimination investigations |
| Requires employers to make reasonable efforts to provide workers with reasonable unpaid break time and space to express milk at work. | Requires a service | 41-1-130. | State | Statute | Adjudication of discrimination investigations |
| The Federal Fair Housing Act defines the discriminatory fair housing practices and the enforcement procedure for Fair Housing violations. The South Carolina Fair Housing Law is substantially equivalent to the Federal Fair Housing Act. | Requires a manner of delivery | 42 U.S.C. §§ 3601 - 3619* | Federal | Statute | |
| Provides that all persons should be entitled to the full and equal enjoyment of the services and accommodations of any place of public accommodation, regardless of their race, color, religion, or national origin. Defines those locations that are considered places of public accommodation under the law. Defines "supported by state action." | Requires a manner of delivery | 45-9-10. All persons entitled to equal enjoyment of and privileges to public accommodations; places of public accommodation; "supported by state action" defined. | State | Statute | |
| Provides that party may file a suit in circuit court for recovery of damages subject to 45-9-110 limitations. | Not related to agency deliverable | 45-9-100. Action for damages by aggrieved party; minimum damages for violation. | State | Statute | |
| Establishes the process by which a charge of unlawful discrimination or segregation may be conciliated by the Agency, and requires that a complaining party seek conciliation through the Agency before filing a lawsuit. | Requires a manner of delivery | 45-9-110. Prerequisites to action for damages; conciliation. | State | Statute | |
| Establishes 45-9-110 limitations do not apply to pursuit of license revocation and criminal penalties. | Requires a manner of delivery | 45-9-120. Prerequisites to action for damages not to limit right to pursue license revocation or criminal penalties. | State | Statute | |
| Provides that the chapter does not apply to a private club or other establishment not in fact open to the general public. | Requires a manner of delivery | 45-9-20. Exception for private establishments. | State | Statute | |
| Prohibits persons from depriving or attempting to deprive others from the rights of equal enjoyment in places of public accommodations. | Requires a manner of delivery | 45-9-30. Deprivation of right to equal enjoyment of and privileges to public accommodations prohibited. | State | Statute | |

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HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|--|-------------------------------|--|--------------|---------|---|
| Provides that after receipt of the investigation into complaints by Attorney General (AG) and SLED, Agency shall conduct an investigation to determine whether there is reasonable cause that Article I rights to public accommodations were violated. If reasonable cause is found, Agency Chairman informs AG. After the AG brings an action, Agency panel will conduct a hearing on the matter on the allegations presented. If a license revocation proceeding is initiated, a separate Commission panel will conduct the hearing. | Requires a service | 45-9-40. Processing of complaints; review by State Human Affairs Commission; complaint by Attorney General. | State | Statute | Adjudication of discrimination investigations |
| Provides that a panel of Agency members, designated by Chairman must hold a hearing within 60 days of the AG complaint and provide notice of the hearing. | Requires a service | 45-9-50. Hearing on complaint by Attorney General; notice of hearing. | State | Statute | Adjudication of discrimination investigations |
| Provides that the Agency may establish rules of procedure for hearings related to allegations of discrimination in a place of public accommodation. Provides that Commission shall grant relief for Article I violations and may order reimbursement for costs incurred in conducting hearings. | Requires a service | 45-9-60. State Human Affairs Commission may establish rules of procedure for hearings; subpoenas; rights of persons charged; rules of evidence scope of hearing; deliberations of panel; remedies for violation. | State | Statute | Adjudication of discrimination investigations |
| Provides conditions where Agency may find discrimination but not require revocation of license. Provides that Agency may find employers are not liable for acts of employee unless it was reasonably known to the licensee, permittee, or managing agent. | Requires a manner of delivery | 45-9-65. Liability of employer for acts of employee; conditions under which revocation of license not required for pattern or practice of discriminatory conduct. | State | Statute | |
| Provides that panel shall consider whether intervention will unduly delay or prejudice adjudication of rights of the original parties. | Requires a manner of delivery | 45-9-70. Right to intervene in action. | State | Statute | |
| Provides that the final Agency decision shall be in writing and list licenses or permits to be revoked. | Requires a service | 45-9-75. Final decision of panel; appeals. | State | Statute | Adjudication of discrimination investigations |
| Authority not granted to Agency. The statute states that if the Agency determines a violation occurred, then the Attorney General must notify the licensing, permitting, or regulatory entity of the violation in order to revoke the same. | Requires a manner of delivery | 45-9-80. Attorney General to notify permitting, regulatory, or licensing authority of violations; immediate revocation of license or permit; enforcement of panel's decision; violators not to obtain license or permit for three years. | State | Statute | |
| Violators of confidentiality provisions in 42-9-60 subject to fine or imprisonment. | Requires a manner of delivery | 45-9-85. Penalty for violating confidentiality provisions. | State | Statute | |
| Violators of Article I subject to misdemeanor conviction along with fine and/or imprisonment. | Requires a manner of delivery | 45-9-90. Penalty for violating provisions of Article 1. | State | Statute | |

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HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|--|------------------------------------|--|--------------|------------|---|
| Provides definitions for terms within the Human Affairs Law regulations, which help to establish the jurisdiction of and guidance to the Agency. | Requires a manner of delivery | 65-1 Definitions. | State | Regulation | |
| Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission. | Requires a manner of delivery | 65-10 Certification. | State | Regulation | |
| Establishes that the Agency should have the rules and regulations available to the public at its office. | Report our agency must/may provide | 65-11 Availability of Rules. | State | Regulation | |
| Explains that the regulations shall be constructed liberally to effectuate the purposes of the Human Affairs Law of South Carolina. | Requires a manner of delivery | 65-12 Construction of Rules and Pleadings. | State | Regulation | |
| Establishes that the Agency may, in its discretion, conduct general investigations of discrimination. | Requires a manner of delivery | 65-13 General Investigations. | State | Regulation | |
| Governs the requirements for the Agency's acceptance and retention of formal complaints of discrimination under the Human Affairs Law. Provides for circumstances in which a complaint may be amended and further guides the Agency on when a complaint should be dismissed. | Requires a service | 65-2 Complaint. | State | Regulation | Adjudication of discrimination investigations |
| Requires that all State agencies submit Equal Employment Opportunity Reports to the Agency. Requires supplements to each report on a regular basis and when specifically requested by the Human Affairs Commission. | Requires a manner of delivery | 65-20 Submission of Equal Employment Opportunity Reports. | State | Regulation | |
| Requires that every State agency head designate an Equal Employment Officer for preparing reports and communicating with the Human Affairs Commission regarding the Equal Employment Opportunity Report. | Requires a manner of delivery | 65-21 Equal Employment Officer to be Designated. | State | Regulation | |
| Provides further clarification related to jurisdiction of the law for certain housing providers. Incorporates definitions from the Law for purposes of the regulations and provide additional definitions. | Requires a manner of delivery | 65-210 General. | State | Regulation | |
| Interprets certain prohibitions of unlawful conduct in the context of real estate practices; advertisements, statements and notices; representations on the availability of dwellings; blockbusting; and the provision of brokerage services. | Requires a manner of delivery | 65-211 Discriminatory Housing Practices. | State | Regulation | |
| Interprets certain prohibitions of unlawful conduct in the context of residential real estate-related transactions; the making of loans and in the provision of other financial assistance; the purchasing of loans; the terms and conditions for making available loans or other financial assistance; and in the selling, brokering, or appraising of residential real property. | Requires a manner of delivery | 65-213 Discrimination in Residential Real Estate-Related Transactions. | State | Regulation | |
| Interprets certain prohibitions of unlawful conduct in the context of the protected class of disability by listing general prohibitions against discrimination because of handicap and by providing additional definitions. | Requires a manner of delivery | 65-215 Prohibition Against Discrimination Because of Handicap. | State | Regulation | |
| Explains certain jurisdiction limitations for State and federal elderly housing programs, and fifty-five or over housing. | Requires a manner of delivery | 65-217 Housing for Older Persons. | State | Regulation | |
| Interprets unlawful conduct under 31-21-80, considered to be retaliatory or found to be an attempt to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of that person having exercised or enjoyed, or on account of that person having aided or encouraged enjoyment of, any right granted or protected by this section. | Requires a manner of delivery | 65-219 Interference, Coercion or Intimidation. | State | Regulation | |

**These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|---|-----------------------------------|---|--------------|------------|---|
| Provides guidance related to the acceptance of complaints of discrimination by the Agency. Further explains when an amendment would be appropriate and how the complaint will be served by the Agency. Allows a respondent to answer the complaint. | Requires a service | 65-220 Complaints. | State | Regulation | Adjudication of discrimination investigations |
| Explains the proper procedure for handling dually filed or duplicative complaints among local, state, and other agencies. | Requires a service | 65-221 Referral of Complaints to State and Local Agencies. | State | Regulation | Adjudication of discrimination investigations |
| Provides the burden of proof in a housing investigation (reasonable cause) and gives the Investigator guidance on how to process and investigate file. States the need for the investigator to disclose final conclusions in a report to be made available to the parties. | Requires a service | 65-223 Investigation Procedures. | State | Regulation | Adjudication of discrimination investigations |
| Requires the Commission to attempt conciliation with each complaint filed. Provides guidance on the type of relief that may be contemplated in a conciliation agreement. States specific times when conciliation efforts may be terminated. Makes conciliation efforts confidential, but provides that an agreement reached is public. | Requires a service | 65-225 Conciliation Procedures. | State | Regulation | Adjudication of discrimination investigations |
| Explains how a reasonable cause determination should be issued and how an administrative pleading should be created to be served on the parties following a reasonable cause determination. Allows a party to elect to have the matter heard in a civil action in Common Pleas rather than through the administrative hearing before a panel of the Board of Commissioners. | Requires a service | 65-227 Issuance of Complaint. | State | Regulation | Adjudication of discrimination investigations |
| Directs the Commission to notify agencies about a hearing if it has an interest in the enforcement of the respondent's obligation. Requires other agencies to cooperate with the Commissioner in furthering the purposes of Fair Housing. | Requires a service | 65-229 Other Action. | State | Regulation | Adjudication of discrimination investigations |
| Requires that a State agency preserve all personnel records relevant to a pending charge or action under the Human Affairs Law until final disposition of the charge or the action. | Not related to agency deliverable | 65-23 Preservation of Records in Event of Charge of Discrimination. | State | Regulation | |
| Contains the rules of practice and procedure established by the Commission for administrative proceeds, to include reasonably accommodating persons with disabilities and maintaining filed documents. | Requires a service | 65-230 General Information. | State | Regulation | Adjudication of discrimination investigations |
| Grants authority to the Chief Hearing Office of the administrative hearing panel, such as conducting the hearing, issuing subpoenas, ruling on evidence, and handling motions. Provides that a Commissioner may be disqualified and, may either withdraw himself, or may be withdrawn upon motion of party. Forbids ex parte communications. | Requires a service | 65-231 Hearing Panel. | State | Regulation | Adjudication of discrimination investigations |
| Permits the parties to a complaint to be present at the hearing, as well as intervenors to the matter if they are aggrieved. States that there may be legal representatives for the parties, and the Commission. Requires that parties and others at the proceedings act with integrity and in an ethical manner. | Requires a service | 65-232 Parties. | State | Regulation | Adjudication of discrimination investigations |

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| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|--|------------------------------------|---|--------------|------------|---|
| Indicates the types of pleadings necessary to an administrative hearing, and those which are permitted. Provides certain deadlines related to filing of pleadings and for discovery. Allows the Chief Hearing Officer to permit supplemental pleadings or amendments to pleadings, and gives him the right to require oral arguments on motions, and to issue subpoenas among other powers. | Requires a service | 65-233 Pleadings, Motions and Discoveries. | State | Regulation | Adjudication of discrimination investigations |
| Requires that an administrative proceeding be dismissed if a separate suit is filed as a civil action. | Requires a service | 65-234 Dismissal and Decisions. | State | Regulation | Adjudication of discrimination investigations |
| Provides guidance on the date and place that a hearing should be held and further provides who may be present to represent the parties. Explains the conduct of the hearing, to include the exclusion of certain evidence. States that the hearing shall be recorded and requires that an Order be issued and filed following the hearing's conclusion. Allows parties to request a reconsideration of an Order, and states that the hearing transcript will be made available after the hearing's conclusion. Explains the process by which a party may appeal the Order and states the way the Commission can seek enforcement of its Order. | Requires a service | 65-235 Hearing Procedures (Review and Enforcement). | State | Regulation | Adjudication of discrimination investigations |
| Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission. | Requires a manner of delivery | 65-236 Certification. | State | Regulation | |
| Establishes that the Agency should have the rules and regulations available to the public at its office. | Requires a service | 65-237 Availability and Construction of Rules. | State | Regulation | Adjudication of discrimination investigations |
| Requires that employers shall post, keep posted, and maintained in conspicuous places upon their premises where notices to employees and applicants for employment are customarily posted a notice to be prepared and distributed by the Commission of the Human Affairs Law, and information pertinent to the filing of a complaint. | Report our agency must/may provide | 65-24 Notices to be Posted. | State | Regulation | |
| States that the purpose of the regulation is to assist advertising media and agencies. | Not related to agency deliverable | 65-240 Purpose. | State | Regulation | |
| Provides the scope of the rule and states that persons who fail to use the appropriate criteria will be subject to reasonable cause determinations when necessary. | Requires a manner of delivery | 65-242 Scope. | State | Regulation | |
| Provides certain words, phrases, symbols, and forms that may be considered discriminatory by the Commission when investigating an allegation of discrimination in housing advertisements. | Requires a manner of delivery | 65-244 Use of Words, Phrases, Symbols, and Visual Aids. | State | Regulation | |
| Explains that content in and use of housing advertising may be considered discriminatory by the Agency if such advertising appears to have a discriminatory impact by being targeted for a particular protected class. | Requires a manner of delivery | 65-246 Selective Use of Advertising Media or Content. | State | Regulation | |
| Expounds upon the types of unlawful treatment in S.C. Code Ann. § 1-13-30(T) based on an employee's sex, which includes, pursuant to S.C. Code Ann. § 1-13-30(I), pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation, and women affected by pregnancy, childbirth, or related medical conditions | Requires a manner of delivery | 65-30 Guidelines Established. | State | Regulation | |

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HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|--|-------------------------------|---|--------------|------------|---|
| Grants the Agency authority to apply to a court of competent jurisdiction, seeking injunctive relief regarding a pending complaint with the Agency, pursuant to 1-13-70(s). | Requires a service | 65-4 Preliminary or Temporary Relief. | State | Regulation | Adjudication of discrimination investigations |
| Sets for parameters that community groups must meet before being recognized as a Community Relations Council by the Agency. | Requires a manner of delivery | 65-40 Minimum Requirements. | State | Regulation | |
| Explains the processes related to conciliation and settlement during the investigation, or after. Requires that those attempts at conciliation be kept confidential by the Agency. | Requires a service | 65-5 Conference, Conciliation and Persuasion. | State | Regulation | Conciliation of discrimination investigations |
| Requires that the Agency submit a reasonable cause determination and notify the parties of the same, if based on evidence obtained by the Commission, the Agency believes that an unlawful employment practice has occurred or is occurring, and provided conciliation efforts have failed. | Requires a service | 65-6 Reasonable Cause Determination: Procedure and Authority. | State | Regulation | Adjudication of discrimination investigations |
| Establishes the Commission's duty to provide an opportunity of reconsideration of a matter where applicable. | Requires a service | 65-7 Reconsideration of Order of Dismissal or Order to Initiate Suit. | State | Regulation | Adjudication of discrimination investigations |
| Establishes the procedures for holding an Administrative Hearing, and issuing an Order, in any case where a reasonable cause determination has been issued against a State agency for violation of the Human Affairs Law. | Requires a service | 65-8 Procedure for Hearing as Provided by Section 1-13-90(c) of the Act. | State | Regulation | Adjudication of discrimination investigations |
| Establishes the procedures for the Agency to institute a civil action in any case where a reasonable cause determination has been issued against an employer that is not a State agency for violating the Human Affairs Law. Alternatively, authorizes the Complaining Party to file civil action following the Agency's issuance of a notice of right to sue. | Requires a service | 65-9 Procedure for the Institution of Civil Actions as Provided in Section 1-13-90(d) of the Act. | State | Regulation | Adjudication of discrimination investigations |
| States that revenue from donations and registration fees from Forums shall be retained and carried forward for general operations. | Funding agency deliverable(s) | 70.1 (HAC: Human Affairs Forum Carry Forward) | State | Proviso | |
| States that revenue from fees from training and technical assistance shall be retained and carried forward for general operations. | Funding agency deliverable(s) | 70.2 (HAC: Training Revenue) | State | Proviso | |
| States that revenue derived from copies of Commission files, opinions, and Orders shall be retained and carried forward for general operations. | Funding agency deliverable(s) | 70.3 (HAC: Revenue from Copying Fees) | State | Proviso | |
| The American National Standard for Buildings and Facilities Providing Accessibility and Usability for Physically Handicapped People requirements have been incorporated by reference into 31-21-70(H) and provide a "safe harbor" for housing providers to remain in compliance with Fair Housing Law requirements. | Requires a manner of delivery | ANSI A117.1 | State | Regulation | |
| Prohibits discrimination in employment based on race, color, religion, sex, or national origin; prohibits discrimination against an employee/applicant for opposing an unlawful employment practice, making a charge, or assisting in an investigation, proceeding, or hearing against an employer in regard to an unlawful employment practice. | Requires a manner of delivery | Civil Rights Act of 1964 [Title VII , 42 USC §2000 et seq] | Federal | Statute | |
| Prohibits paying wages to employees at a rate less than the rate at which the employer pays wages to employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions. | Requires a manner of delivery | Equal Pay Act of 1967 [29 USC §206(d)] | Federal | Statute | |

**These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION**

| Description | Purpose | Law Number | Jurisdiction | Type | Notes |
|---|-----------------------------------|---|--------------|---------|-------|
| Prohibits discrimination based on genetic information in both health insurance (Title I) and employment (Title II). | Not related to agency deliverable | Genetic Information Nondiscrimination Act (GINA) [Public Law 110-223] | Federal | Statute | |
| Amends Civil Rights Act of 1964 to state that the 180-day statute of limitations for filing an equal pay suit resets with each new discriminatory paycheck. | Requires a manner of delivery | Ledbetter Fair Pay Act of 2009 [Public Law 111-2, 123] | Federal | Statute | |
| Prohibits discrimination against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. | Requires a manner of delivery | Pregnancy Discrimination Act [42 U.S.C. § 2000(e) et seq.] | Federal | Statute | |
| Prohibits an employer from refusing to hire, discharge or from otherwise discriminating against any individual age 40 or older, solely on the basis of age. | Requires a manner of delivery | The Age Discrimination in Employment Act of 1967 (ADEA) [29 USC §621] | Federal | Statute | |
| Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. Title II requires that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities, including employment. The Human Affairs Law is substantially equivalent to Title I. | Requires a manner of delivery | Title I of the Americans with Disabilities Act of 1990 (ADA) | Federal | Statute | |

FY 2020-2021 Agency Accountability Report
Services Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Description of Service | Description of Direct Customer | Customer Name | Others Impacted By the Service | Agency unit providing the service | Description of agency unit | Primary negative impact if service not provided |
|--|--|------------------------------|--------------------------------|---|--|--|
| Provides timely and professional assistance and processes the charge of discrimination to a successful resolution. | Individuals who allege discrimination and their legal representatives; Industry | General Public | Industry | Compliance | EEO Enforcement and Fair Housing Enforcement | Increased opportunities for discrimination to occur, which could lead to social unrest. |
| Provides knowledge and assistance to contribute to the prevention and elimination of unlawful discrimination. | All citizens employed by state government; Industry | General Public | Industry | Consultative Services, Compliance, and Administration | Technical Services and Training, EEO Enforcement; Fair Housing Enforcement; Community Relations; Legal | Increased opportunities for discrimination to occur, which could lead to social unrest and lawsuits, including state government settlements. |
| Assist communities with local issues related to diversity, promotes harmony, and improves citizens' quality of life. | General Public | Community Relations Councils | General Public | Consultative Services - Community Relations | Community Relations | Increased opportunities for discrimination to occur, which could lead to social unrest. |
| Processes complaints to successfully fulfill contractual obligations and responsibilities. | Federal Government | EEOC and HUD | General Public | Compliance | EEO Enforcement and Fair Housing Enforcement | Loss of federal funding to investigate complaints, resulting in additional burden to state budget to investigate complaints. |

Agency Partnerships Responses:

These responses were submitted for the FY 2020-2021 Accountability Report by the

HUMAN AFFAIRS COMMISSION

| Name of Partner Entity | Type of Partner Entity | Description of Partnership |
|---|-------------------------------|---|
| Business/Companies | Private Business Organization | Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. |
| Citizens of SC | Individual | Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. |
| Community Relations Councils - Local Government - Counties/Municipalities | Local Government | To help prevent discrimination through constructive dialogue thereby promoting harmony among a diverse group of people. |
| Governor | State Government | Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. Request funds to efficiently and effectively carry out the mission of the Agency and train Board Members appointed by Governor about the Agency's mission and operations. |
| State Agencies | State Government | Monitor State Agency Affirmative Action Plans including hiring and promotion practices and train managers on methods to prevent and eliminate discrimination. |
| State Legislature | State Government | Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. Request funds to efficiently and effectively carry out the mission of the Agency and train Board Members appointed by the Governor with the advice and consent of the Senate about the Agency's mission and operations. |
| US Department of Housing and Urban Development (HUD) | Federal Government | Enforce Housing laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. |
| US Department of Justice | Federal Government | Share information and coordinate activities related to preventing discrimination in local communities and within the entire State. |
| US Equal Employment Opportunity Commission (EEOC) | Federal Government | Enforce Employment laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. |

**FY 2020-2021 Agency Accountability Report
Reports Responses:**

These responses were submitted for the FY 2020-2021 Accountability Report by the
HUMAN AFFAIRS COMMISSION

| Report Name | Law Number (If required) | Summary of Information Requested in the Report | Most Recent Submission Date | Reporting Frequency | Type of Entity | Method to Access the Report | Direct access hyperlink or agency contact |
|---|---|--|-----------------------------|---------------------|---|------------------------------------|---|
| Agreed-Upon Procedures Audit | SECTION 11-7-20. Annual audits of state agencies. | Agreed upon procedures, findings, and exceptions found based on the Agreed-Upon Procedures for financial transactions | 9/11/2020 | Annually | South Carolina state agency or agencies | Available on another website | https://osa.sc.gov/reports/ |
| HUD External Audit | | HUD case reviews and financial activity associated with the HUD Grants. | 9/4/2020 | Annually | Entity within federal government | Available on another website | https://www.hud.gov/program_offices/fair_housing_equal_opp/system/hems |
| Solid Waste and Recycling Report | SECTION 44-96-10 | Annual Recycling Report to DHEC | 8/19/2021 | Annually | South Carolina state agency or agencies | Available on another website | https://scdhec.gov/environment/recycling-waste-reduction/solid-waste-recycling-reports |
| State Agency Accountability Report | Section 1-1-820 | The annual accountability report contains the agency's mission, objectives to accomplish the mission, and performance measures that show the degree to which objectives are being met. | 9/15/2020 | Annually | Governor or Lt. Governor AND Legislative entity or entities | Provided to LSA for posting online | |
| The Status of Equal Employment Opportunity in South Carolina State Government Annual Report to the General Assembly | Section 1-13-110 of the South Carolina Code of Laws of 1976 | Status of State Agencies' Affirmative Action Plans | 5/1/2021 | Annually | Governor or Lt. Governor AND Legislative entity or entities | Provided to LSA for posting online | |