DISCLAIMER

The South Carolina Legislative Council is offering access to the unannotated South Carolina Code of Laws on the Internet as a service to the public. The unannotated South Carolina Code on the General Assembly's website is now current through the 2014 session. The unannotated South Carolina Code, consisting only of Code text, numbering, and history may be copied from this website at the reader's expense and effort without need for permission.

The Legislative Council is unable to assist users of this service with legal questions. Also, legislative staff cannot respond to requests for legal advice or the application of the law to specific facts. Therefore, to understand and protect your legal rights, you should consult your own private lawyer regarding all legal questions.

While every effort was made to ensure the accuracy and completeness of the unannotated South Carolina Code available on the South Carolina General Assembly's website, the unannotated South Carolina Code is not official, and the state agencies preparing this website and the General Assembly are not responsible for any errors or omissions which may occur in these files. Only the current published volumes of the South Carolina Code of Laws Annotated and any pertinent acts and joint resolutions contain the official version.

Please note that the Legislative Council is not able to respond to individual inquiries regarding research or the features, format, or use of this website. However, you may notify the Legislative Services Agency at LSA@scstatehouse.gov regarding any apparent errors or omissions in content of Code sections on this website, in which case LSA will relay the information to appropriate staff members of the South Carolina Legislative Council for investigation.

CHAPTER 17

Conciliation of Industrial Disputes

**SECTION 41‑17‑10.** Commissioner’s duties as to investigation of industrial disputes and conciliation thereof.

 The Director of the Department of Labor, Licensing, and Regulation or his designee or his agents shall (a) investigate industrial disputes or strikes or lockouts arising between employer and employees or capital and labor, (b) ascertain, as near as may be, the cause or causes of such industrial disputes or strikes or lockouts, (c) make a finding of fact in respect thereto, (d) endeavor, as far as possible, to remove misunderstandings or differences and to induce both sides to such an industrial dispute or strike or lockout to arrive at an agreement, (e) nominate, appoint or act as arbitrators when so requested by both sides to such a controversy and (f) in general, remove as far as possible the causes for industrial disputes or strikes or lockouts and induce an amicable settlement of them. Unless the Commissioner or his agents find it inadvisable so to do the finding of fact of the Commissioner or his agents as to all such disputes shall be reported to the Governor as soon as practicable in each case and annually to the General Assembly.

HISTORY: 1962 Code Section 40‑301; 1952 Code Section 40‑301; 1942 Code Sections 3253‑18, 3253‑19, 3253‑21; 1932 Code Sections 6355, 6357; Civ. C. ‘22 Sections 5194, 5196; 1916 (29) 935; 1937 (40) 548; 1993 Act No. 181, Section 977, eff February 1, 1994.

**SECTION 41‑17‑20.** Conciliation committees.

 When the Commissioner or his agents shall fail to induce both sides of such an industrial dispute or strike or lockout to arrive at an agreement, the Commissioner may appoint a committee of three as follows: One from capital, one from labor and one at large. The Commissioner shall be ex officio chairman of such committee. The duties of the committee shall be the same as those prescribed for the Commissioner in Section 41‑17‑10.

HISTORY: 1962 Code Section 40‑302; 1952 Code Section 40‑302; 1942 Code Section 3253‑18; 1937 (40) 548.

**SECTION 41‑17‑30.** Chapter not applicable to railroad and express companies.

 The provisions of this chapter shall not apply to any railroad corporation or express company doing business by rail or the receivers or trustees of any railroad corporation or express company doing business by rail or to any employee of any thereof.

HISTORY: 1962 Code Section 40‑303; 1952 Code Section 40‑303; 1942 Code Section 3253‑18; 1937 (40) 548.

**SECTION 41‑17‑40.** Summoning and examining witnesses.

 The Director of the Department of Labor, Licensing, and Regulation or his designee or his agents may summon and examine in public or in executive session any person concerned in any such strike or lockout or industrial dispute or any other person within the State and may compel them to testify.

HISTORY: 1962 Code Section 40‑304; 1952 Code Section 40‑304; 1942 Code Sections 3253‑20, 3253‑21; 1932 Code Sections 6356, 6357; Civ. C. ‘22 Sections 5195, 5196; 1916 (29) 935; 1937 (40) 548; 1993 Act No. 181, Section 977, eff February 1, 1994.

**SECTION 41‑17‑50.** Other powers of Commissioner in regard to investigations.

 The Director of the Department of Labor, Licensing, and Regulation or his designee or his agents may compel the production of books or documents relating to questions in dispute; inspect property with respect to which there is a dispute with relation to an industrial dispute or strikes or lockout; examine into working conditions and sanitary conditions; and at all times have access to any property or premises necessary to any such inspection.

HISTORY: 1962 Code Section 40‑305; 1952 Code Section 40‑305; 1942 Code Section 3253‑20; 1932 Code Section 6356; Civ. C. ‘22 Section 5195; 1916 (29) 935; 1937 (40) 548; 1993 Act No. 181, Section 977, eff February 1, 1994.

**SECTION 41‑17‑60.** Powers of Governor.

 The Director of the Department of Labor, Licensing, and Regulation or his designee or his agents can be called into session and into the performance of their duties and functions under this chapter by the Governor.

HISTORY: 1962 Code Section 40‑306; 1952 Code Section 40‑306; 1942 Code Section 3253‑22; 1932 Code Section 6359; Civ. C. ‘22 Section 5198; 1916 (29) 935; 1937 (40) 548; 1993 Act No. 181, Section 977, eff February 1, 1994.

**SECTION 41‑17‑70.** Hindering Commissioner in performance of duties.

 Any person that hinders or obstructs the Director of the Department of Labor, Licensing, and Regulation or his designee or his agents in the full and free performance of their duties under this chapter shall be guilty of a misdemeanor for each and every such offense and upon conviction in a court of competent jurisdiction shall be fined not less than twenty‑five dollars, nor more than one hundred dollars or sentenced to serve not more than thirty days upon the county chain gang.

HISTORY: 1962 Code Section 40‑307; 1952 Code Section 40‑307; 1942 Code Section 3253‑18; 1937 (40) 548; 1993 Act No. 181, Section 977, eff February 1, 1994.