

*South Carolina Human Affairs
Commission*



2012-2013 Accountability Report

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South Carolina Human Affairs Commission

From the Commissioner

We are pleased to present the FY 2012-2013 Accountability Report for the South Carolina Human Affairs Commission. The content and format are in keeping with the state's guidelines and based on the Malcolm Baldrige performance criteria.

Since 1972 the South Carolina Human Affairs Commission has served as the state's chief promoter of equal employment opportunity and enforcer of fair housing and antidiscrimination employment laws. During the past several years, reduced funding and budget cuts have created numerous challenges for the Commission much like other agencies. However, the staff diligently continues the agency's mission which is to eliminate and prevent unlawful discrimination because of race, religion, color, sex, age, national origin or disability; and to promote harmony and the betterment of human affairs in the state and nation.

Despite this effort, our mission to eradicate unlawful discrimination is incomplete. Working with limited resources, we have reached out to all stakeholders for assistance and to identify areas for improvement. Similarly, it is critical that we continue to receive the funding necessary to properly maintain the Commission. The receipt of adequate funding is vital for the agency to build upon and sustain stability to adequately fulfill the agency's mission. Notwithstanding present economic conditions, the Commission is constantly striving to improve its operations and work aggressively and effectively to provide greater service to the public.

The staff at the Commission looks forward to continuing our work with the Administration, General Assembly and the Public at large to achieve the mission, as mandated by the General Assembly.

Raymond Buxton, II

2012 – 2013 Accountability Report Of the South Carolina Human Affairs Commission

Section I - Executive Summary

1.1 Purpose and Mission

The primary purpose and mission of the South Carolina Human Affairs Commission is to serve the people of South Carolina by preventing and eliminating unlawful discrimination in employment because of race, religion, color, national origin, age, sex, and disability; in housing on the basis of race, color, national origin, religion, sex, disability and familial status; and public accommodations on the basis of race, color, national origin and religion. In doing so, we will foster mutual understanding and respect among all people of the state. This mission is mandated by the South Carolina Human Affairs Law of 1972, as amended; the South Carolina Fair Housing Law; and the Equal Enjoyment and Privileges to Public Accommodations Law. Accomplishing the agency's mission is supported and driven by a commitment to a set of seven core values – accountability, customer service, fairness, integrity, loyalty, professionalism and teamwork – developed during a planning process which involved virtually every member of the Commission's staff.

The Commission seeks to prevent discrimination by providing educational seminars and training to both the public and the private sectors so managers and supervisors will know what is required of them, assisting local communities in developing the means to address issues locally, and providing assistance to state agencies on meeting their affirmative action obligations to achieve an equal opportunity environment as established by the Legislature. The Commission works to eliminate discrimination through receipt, investigation and resolution of complaints of discrimination in employment, housing and public accommodations.

Vision

The Commission's vision is to be well known with a positive image and a mission that is understood and accepted by the public. The 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.

Values

- **Accountability** -- is being responsible for the proper management of public resources and exercise of authority vested in the SCHAC.
- **Customer Service** -- is treating all stakeholders (internal and external) in a courteous manner. One must be responsible, helpful and knowledgeable; and adhere to the agency's mission, values and goals.
- **Fairness** -- is the equal and consistent treatment of all parties involved in an impartial manner.
- **Integrity** -- is exhibiting the traits of honesty and truthfulness; and adhering to the moral and ethical standards as stated in the S.C. Code of Ethics.
- **Loyalty** -- is being faithful to the mission, vision and values of the agency and our obligations to the public.
- **Professionalism** -- is showing respect for others in one's actions and words; and performing the functions of one's job in a responsible manner.
- **Teamwork** -- is individual and units working together in harmony for the expressed purpose of pursuing assigned tasks and accomplishing goals.

1.2 Major Achievements for FY 2012 - 2013

During state fiscal year 2012-2013 the South Carolina Human Affairs Commission successfully completed one contract with the U. S. Equal Employment Opportunity Commission (EEOC) for employment discrimination complaint resolutions and another with the U. S. Department of Housing and Urban Development (HUD) for fair housing complaint resolutions, and subsequently progressed well into new contracts with each of the two federal agencies. The Commission provided training opportunities to public and private sector employers across South Carolina, and worked with county and local governments, private organizations and interested citizens to address a variety of concerns which did not involve employment or housing issues. Another major achievement was the reorganization of agency structure. In order to save costs several FTE positions were combined into one position and as a result of this action and some funding being restored by the Governor and Legislature, new employees were hired so that the Commission may better fulfill its mission to serve the citizens of this state. In addition to organizational restructuring, the agency has been heavily

involved in the process of physically moving its work location from a private facility to a renovated state building. This move will eventually result in long-term cost savings to the State.

1.3 Key Strategic Goals Present and Future

The Commission's key strategic goals are to be fiscally accountable and to enforce our laws for the state by: (a) increasing the number of resolutions of discrimination complaints attained, while reducing the average processing time and maintaining the qualitative standards which have consistently ensured the agency's actions withstand review by other relevant authorities, thereby providing our customers with timely, effective customer service; (b) obtaining the ability to enable Commission-provided training to generate a level of resources commensurate with its actual demand and value, thereby enabling the agency to better fulfill its preventative role; (c) to substantially enhance the level of support provided to assist local communities in developing their own means (for example, community relations councils) to address issues arising in and of concern to the communities; (d) to provide professional development opportunities appropriate to position and performance for staff members to meet the agency's responsibility as an employer to develop our most valuable resource in order to enable individuals to reach their maximum potential to serve the state and its people, and to contribute to retention of employees of the caliber and performance which are critical to attaining and maintaining "an agency of excellence"; (e) to ensure that the agency obtains and retains the resources (financial, personnel, facilities and equipment) required to serve our customers at the qualitative and quantitative levels expected by the Legislature as well as our customers; and (f) to attain full state funding for the agency, thereby stabilizing the Commission's financial structure and reducing the dependence on federal funds and the control which often accompanies such dependency. Our goals will be supported by a small staff, working together as a team in order to provide quality service to our constituents- the people of South Carolina.

1.4 Key Strategies Challenges

The state's financial situation over several years of revenue shortfalls and the resulting state budget cuts reduced the Commission's state appropriations by a cumulative total of 70%. The 2011-2012 state funding restored \$600,000 to the Commission. However, the reductions had dealt damaging blows to an already small agency which has never experienced funding and resource levels commensurate with the level of statewide responsibilities which have been mandated for it over the years. The impact of these reductions has been particularly evident in terms of personnel, the key resource which is essential in carrying out the agency's responsibilities as established by the Legislature. The agency's state appropriations still remain well below the level prior to the series of budget reductions experienced by state government, although neither the demand for the agency's services nor the responsibilities required of it by the Legislature have decreased.

Over the past several years the Commission has lost key staff members who could not be replaced due to financial constraints. During recent state fiscal years a combination of factors including retirements, attrition, a reduction-in-force and furloughs contributed to a loss of a number of employees and has to some extent adversely affected the services provided to our State's citizens. Loss of senior experienced personnel during recent years has had, and will continue to have, a significant adverse impact on agency operations. To

address the loss of revenue and employees, the Commission has creatively cross-trained staff in order to assist with a program area as needed. But this serves only as a stop gap and creates demands and pressures on corresponding programs.

The Commission's current staffing level (22 employees) is well below that required to deliver optimal service to South Carolina. Currently the Commission is approved for 32 full time equivalent positions (FTEs) but have eleven (11) vacancies we are unable to fill due to budget constraints. In addition there are six (6) contract temporary employees working for the agency. The Commission is doing everything within its power to cross-train, engage in job enrichment or make use of demonstrated in-house talent as a means of delivering services to the state. Due to the magnitude and the corresponding loss of resources, the cumulative impact of the series of budget reductions experienced by the Commission required the elimination of all expenditures not absolutely essential to basic day-to-day operations at a subsistence level. This eliminated the ability to fulfill some of the agency's longstanding strategic goals; including hiring and training some staff to be fluent in American Sign Language, and providing the legitimate professional development opportunities which are critical to the future of the agency.

The Commission's key strategic challenges are:

Operational: The Commission's resource levels remain far below those available prior to the series of state government-wide budget reductions. However, neither the responsibilities required of the agency nor its workload (and the corresponding qualitative and quantitative standards of performance expected of it) were commensurately reduced; indeed, all either remained constant or increased. The operational systems of the agency – and the personnel who make them work – are working well beyond standard and have been doing so for an inappropriately extended period of time. This places the agency in a very precarious position. For example, any further reduction of the agency's state appropriation will cut directly into the resources required for service delivery, which will in turn require decisions by the appropriate authorities about which legislatively-mandated services are no longer to be provided. The loss of any of the agency's experienced, high performing staff members will have an immediate, negative impact on service delivery capacity.

In addition to the loss of experienced personnel having a negative impact on services, the failure of essential equipment will require the transfer of essential funds from other critical needs, which will in turn have its own adverse impact. All of this could result in the Federal Government no longer granting deferral status to South Carolina Human Affairs.

Human Resources: The Commission's current staffing level is substantially below the legitimately required level to continue to deliver the services required by the Legislature at the qualitative and quantitative levels expected of the agency. The ongoing retirements of a large portion of the agency's most experienced, productive staff members will further undermine the agency's continued viability, as will the agency's continued inability to invest in professional development opportunities commensurate with position and performance. Prior staff reductions have resulted in significant additional responsibilities and expectations being placed

on a number of remaining staff members who already had (and have) full-time work responsibilities without the ability to properly recognize and compensate these individuals for the additional demands imposed on them. The agency continues to rely on these professionals to fulfill the additional responsibilities while carrying out their other duties in full; however, these staff members have legitimate goals for career growth and advancement as well as personal obligations and interests outside the work setting, so the agency cannot reasonably and realistically expect them to indefinitely continue serving at such levels without looking elsewhere for greater career potential and improved quality of work life.

Financial: Obtaining and maintaining the financial resources required to fully carry out the responsibilities assigned to the agency by the Legislature has remained a challenge. The historic under funding of the agency was exacerbated by the state government-wide budget reductions necessitated by state revenue shortfalls. The results have included the inability to fill critical positions, elimination of the ability to fulfill many of the agency's longstanding strategic goals, the elimination of all expenditures not absolutely essential to basic day-to-day operations at a subsistence level (including the inability to replace aging equipment in a timely planned manner resulting in increased maintenance/repair costs, increased "down time", and lost productivity), and the inability to compensate employees at levels commensurate with their responsibilities and performance.

Community-Related: Community outreach and education are essential to ensuring that our citizens, both individual and corporate, understand their rights and responsibilities and are aware of the role of their state government in addressing those issues and providing services to them. Developing and maintaining such understanding and awareness require maintaining an agency "presence" within the community, both at the local level and statewide, one which requires ongoing contact and communication through a variety of means and goes well beyond the voluntary civic participation of individual staff members. The demands currently placed on the agency's diminished resources just to maintain basic operations present the potential risk of an ever-increasing deficit in this necessary understanding and awareness due to the inability to conduct the requisite outreach and education.

1.5 Use of the Accountability Report to Improve Organizational Performance

The Commission uses the Accountability Report to improve organizational performance both retrospectively and prospectively. The agency utilizes the report as a vehicle to review and assess its performance over the preceding state fiscal year, to identify trends, and to determine opportunities for improvement and critical needs. The agency also uses the report as a key basis for organizational planning to help determine how to effectively and efficiently meet its responsibilities with available resources and to set corresponding priorities.

Section II – Organizational Profile

1. The agency's main products and services and the primary methods by which they are delivered are:

- **Intake and Referral Services** (the products of which are formally filed complaints or referrals to other agencies or organizations), which are delivered via in-person contact, telephone, regular mail, e-mail, and Internet technology.

- **Mediation Services** (the products of which are successful mediations resulting in settlement agreements, or unsuccessful mediations which result in transfer of such cases for investigation), which are delivered via formal mediation conferences conducted either at the Commission's offices or at other sites by the agency's full-time and part-time Mediators.

- **Complaint Processing and Resolution Services** (other than mediations), the products of which are completed investigations, decisions on the merits, and (when appropriate) various types of pre and post-investigation settlements, and which are carried out via in-person contact and site visits, telephone, regular mail and e-mail.

-**Technical Services and Community Relations** (the product of which are assistance to other state agencies with the development of Affirmative Action Plans and compliance monitoring and reporting, the product of which is the enhanced capacity of the recipients to prevent unlawful discrimination and ensure effective equal employment opportunity) which are delivered by agency EEO Consultants and the Computerized Affirmative Action Management System. Training and Discrimination Prevention Services, (the products of which are participants with enhanced knowledge and skills in terms of applicable state and federal laws, equal employment opportunity, and affirmative action practices and better equipped to prevent unlawful discrimination) which are delivered by EEO trainers. Community Relations (the product of which is Community Relation Councils to assist and serve local communities, the product of which is local communities will have the enhanced capacity to address local issues and better serve their citizens) which are delivered by Community Relation Consultants.

2. The agency's key customer segments and their key requirements/expectations are:

- **The Complainant or individuals who file complaints of discrimination.** Their key requirements/expectations are timely assistance in filing their complaints; professional processing and the resolution thereof through successful mediations, determinations on the merits, various forms of pre and post-investigation settlements, and other forms of final administrative action; and the provision of information which will enable them to better understand the process and their rights/responsibilities/options and make informed decisions.

- **The Respondents against which such complaints are filed.** Their key requirements/expectations are timely notice of complaints filed against them; professional processing of such complaints and the resolution thereof through successful mediations, determinations on the merits, various forms of pre and post-investigation settlements, and other forms of final administrative action; and the provision of information which will enable them to better understand the process and their rights/responsibilities/options and make informed decisions.

- **The attorneys representing Complainants or Respondents.** Their key requirements/expectations are professional processing of complaints involving their clients as either Complainants or Respondents; the opportunity to properly represent the legitimate interests of their clients; and the provision of information which will enable them to properly represent and advise their clients.

- **The individuals who contact the agency for information and/or referral who do not subsequently file complaints of discrimination.** Their key requirements/expectations are accurate information provided in a timely manner; assistance in identifying and understanding their available options; and assistance in identifying and contacting other potential sources of assistance when the matters of concern to them are not subject to the jurisdiction of the Commission.

- **The agencies, organizations and individuals receiving training services and/or affirmative action program assistance.** Their key requirements/expectations are the knowledge and assistance which will enhance their capacity to carry out their responsibilities to contribute to the prevention and elimination of unlawful discrimination.

- **Local communities which receive assistance in developing local issue resolution capabilities.** Their key requirements/expectations are the application of the Commission's professional experience and expertise to enable them to enhance their capacity to address local issues locally and thereby better serve their citizens and improve the quality of life in their communities.

- **The EEOC and the HUD.** Their key requirements/expectations are complaint processing activities (from intake through resolution) which fully meet their standards and on which they can rely; the maintenance of an effective relationship as partners in carrying out mutual responsibilities; and the timely fulfillment of all contractual obligations and responsibilities.

3. The Commission's key stakeholders (other than customers) are the general citizenry, both individual and corporate, of South Carolina; the Governor and the Legislature; other organizations which share the Commission's interest in the well-being of and the quality of life in the state; and the members of the agency's staff.

4. The agency's key suppliers and partners are the taxpayers of South Carolina; the agencies and organizations which serve as referral sources; the organizations which provide the Commission with information and other assistance; and the vendors from which the agency purchases goods and services.

5. The Commission has one **operation location**, which is located at 1026 Sumter Street, Suite 101, Columbia, South Carolina 29201.
6. The Commission has a total of **32 positions (FTES)**, (11 of which are unfilled due to lack of funding) consisting of one unclassified position (the Commissioner) and 31 classified positions. There are five (5) temporary contract employees working in the Compliance Division and one (1) temporary contract employee working in the Technical Service and Community Relations Division.
7. **The regulatory environment** under which the Commission operates is the same as that under which other state administrative agencies operate. The Commission does not produce products or services with potential adverse environmental impacts, nor does it engage in construction or other activities subject to unique regulatory requirements. However, the Commission enforces state laws affecting particularly sensitive and important issues with direct impact on fundamental fairness and the quality of life in our state. The Commission is subject to these laws in the same manner and to the same extent as any other employer in South Carolina. However, due to its unique position, the agency must do more than just comply with the minimum standards of the laws it implements toward others; it must set an example which is consistently above reproach in all respects. This is the unique aspect of the regulatory environment of the South Carolina Human Affairs Commission.
8. The Commission's **performance improvement system**, which is applicable to all activities, is a continuous process seeking continuous improvements and consisting of: review of standards (qualitative and quantitative) and goals in light of actual and anticipated resource levels; comparing actual performance against standards and goals; identifying discrepancies between actual performance and the relevant standards and goals; determining and implementing measures to address negative discrepancies; determining and implementing measures to maintain and if possible enhance positive discrepancies; and evaluating the results of the measures taken in each instance.
9. The agency's employed staff functions under the guidance of a nine member board of citizens (Commission Members) from each congressional district appointed by the Governor with the advice and consent of the Senate. Two members of the board are at-large members appointed by the Governor. The Commission Members serve as the policy-making body of the agency, serve in an oversight capacity for agency operations, and review and approve findings and decisions regarding complaints of employment discrimination filed against agencies of state government. The Commission Members recommend and the Governor appoints an agency head, the Commissioner, who is the agency's chief executive officer. The Commissioner is ultimately responsible for daily operations, including hiring, assigning staff members and other resources, managing the agency, and carrying out policy as set by the Commission Members.

The **agency's structure** is divided into five general areas: the Administration Division, the Compliance Division, the Fair Housing Division, the Legal Division and the Technical Services and Community Relations Division.

The **Administration Division** is composed of the Office of the Commissioner and the elements which provide staff support to the agency and to the line elements. The staff elements include Fiscal; Human Resources; Purchasing; and an Executive Assistant to the Commissioner who provides coordinating services for various agency elements and activities.

The **Legal Division** is composed of the Agency's Staff Attorney and Legal Secretary. The staff attorney provides legal advice to the Commissioner, training to staff regarding case law, and reviews each complaint filed with the Commission by the citizens of this State to ensure compliance and fairness to the law.

The **Compliance Division** is composed of the: 1) Intake Department, which provides intake, information and referral services to citizens filing discrimination complaints; 2) the Age and Disability Department; and the Private Sector Department, which provides employment discrimination complaint investigation/resolution services; and 3) Mediation Department, which provides professional mediation assistance to Complainants and Respondents seeking to resolve complaints of employment discrimination without a formal investigation of the merits.

The **Fair Housing Division**, which provides fair housing complaint investigation/resolution services.

The **Technical Services and Community Relations Division** is composed of the Technical Services and Training Department (prevention programs) that provides training to state agencies and other entities, assists and monitors state agencies with the required affirmative action plans, prepares the annual report to the Governor and the Legislature on the status of state agencies' affirmative action plans and equal opportunity, and conducts compliance reviews and impact studies annually for state agencies. The Community Relations Department is designed to work with local communities and to provide §1-13-90(e) public accommodations complaint investigation/resolution services, and conducts the agency's A-95 circular review.

Each of the line divisions is composed of a Division Director or Manager and the professional staff (Intake Officers, Investigators, Community Relations Consultants, and Technical Services EEO Consultants) necessary to provide the services required of each of the respective divisions.

2012-2013 Accountability Report of SC Human Affairs Commission

Major Program Areas

Program	Major Program Area	FY 11-12		FY 12-13		Key Cross References for Financial Results
Number and Title	Purpose (Brief)	Budget Expenditures		Budget Expenditures		
1. Administration	To provide administrative direction, control and support for the agency	State	437,394.90	State	434,984.21	7.2; 7.5; 7.3; 7.4
		Federal	-	Federal	-	
		Other	3,624.19	Other	4,805.00	
		Total	441,019.09	Total	439,789.21	
		% of Total Budget:		27.0%	% of Total Budget:	
II. Consultative Services	To provide technical services, training, equal opportunity and community relations consulting services	State	111,625.08	State	122,827.86	7.1d, 7.1e, 7.1f, 7.1g
		Federal	-	Federal	-	
		Other	1,320.64	Other	-	
		Total	112,945.72	Total	122,827.86	
		% of Total Budget:		6.9%	% of Total Budget:	
III. Compliance Programs	To provide technical services, training, equal opportunity and community relations consulting services	State	387,712.38	State	361,852.39	7.1a; 7.1b; 7.1c
		Federal	129,857.25	Federal	222,412.07	
		Other	242,957.38	Other	384,985.34	
		Total	760,527.01	Total	969,249.80	
		% of Total Budget:		46.5%	% of Total Budget:	
IV. Employer Contributions		State	223,230.45	State	221,385.45	
		Federal	27,072.51	Federal	29,350.91	
		Other	69,682.77	Other	76,231.30	
		Total	319,985.73	Total	326,967.66	
		% of Total Budget:		19.6%	% of Total Budget:	
		1,634,477.55			1,858,834.53	

Below: List any programs not included above and show the remainder of expenditures by source of funds

Capital Reserve Funds - Operations	State
	Federal
	Other
	Total
	% of Total Budget

* Key Cross References are in a link to the Category 7 - Business Results, These References provide a chart number that is included in the 7th section of this document.

Section III – Elements of the Malcolm Baldrige Award Criteria

Category 1 – Senior Leadership, Governance, and Social Responsibility

1.1. a) Commission Board Members (the entire board and/or committees of the board, as appropriate) and the agency's management team consult as needed on short-term direction to set organizational priorities. These consultations incorporate input received from the Governor, the Legislature, the EEOC, the HUD, and constituent groups. Direction and organizational priorities are deployed through the members of the management team; promulgation of necessary policies and procedures; and by goals, objectives and standards required to implement the decisions establishing direction and priorities. Direction and organizational priorities are communicated through a variety of means intended to maintain an ongoing flow of two-way communications, including agency staff meetings, issuance of memoranda and written guidance if necessary; division-level staff meetings; and day-to-day communications by all members of the management team with staff as well as with peers.

b) Management sets performance expectations in consultation with affected staff members based on review of the agency's responsibilities, goals and objectives; assessment of anticipated resource levels; review of current performance levels and opportunities for improvement; assessment of external factors which may impact the agency in the reasonably foreseeable future; and prioritization of activities in light of demand for services and the supply of resources available. Performance expectations are deployed through agency policy and, to the individual level, through performance evaluation criteria and standards. Performance expectations are communicated through staff meetings at the agency and division levels, through various forms of written guidance, and through individual meetings (both formal and informal) of management with staff members.

c) Organizational values were identified during the agency's first strategic planning effort, a process which involved virtually every agency staff member. The extensive discussions over a period of many weeks resulted in the identification of seven overarching values, which were then reviewed, discussed and approved by the agency's board (Commission Members). Deployment occurred through the participation of the staff, and ultimately of the Board, in the identification and adoption of these values. These values are communicated and reinforced through publication, through referral to them by the Commissioner and by members of the management team during staff meetings and one-on-one conversations, and by their conspicuous display in the agency's board room and main entrance which are regularly used by all staff members.

d) Ethical behavior is set through the identification and reinforcement of the agency's mission, vision and values; through the formal requirements of the state ethics law; through the Commissioner's personal emphasis on ethical standards and conduct; and by the agency's emphasis on accountability and responsibility. Ethical behavior is deployed through the staff's participation in identification of the agency's values; through posting the formal requirements of the state ethics law; and through the agency head's modeling, and

that of the other members of the management team, of the expected standards and conduct. Ethical behavior is communicated through publication and display of the agency's mission, vision and values; through staff training on the requirements of the state ethics law; through presentation and discussion of ethical standards and conduct in agency staff meetings and in personal interactions; and by acknowledging and reinforcing behavior which exemplifies such standards and conduct.

1.2. The Commission's senior leaders establish and promote a focus on customers and other stakeholders through a variety of means. These include customer service training for managers and staff; defining and discussing many relationships in terms of customers (rather than only in more distant, impersonal terms like "Complainant" or "Respondent") and/or stakeholders in order to raise and enhance awareness; raising and discussing customer/stakeholder topics and issues during agency and division staff meetings; reviewing customer input (letters, etc.), stakeholder input, and available satisfaction measures; talking with (face-to-face, telephone) customers and stakeholders; sharing observations, assessments and recommendations with staff members on both a group and an individual basis, and recognizing and expressing appreciation for staff members' efforts to serve customers and stakeholders (including one another) in a manner at least consistent with the agency's expectations.

1.3. The Commission addresses the current and potential impact on the public of its products, programs, services, facilities and operations by ensuring all staff members are properly trained to fulfill their duties and responsibilities; by monitoring adherence to standards; by constantly seeking methods to improve performance while at least maintaining current standards; by welcoming input and constructive criticism from both external and internal sources; and by stressing during staff meetings and other interactions the impact that our actions have on concerns, interests and even the lives of our fellow South Carolinians. Regarding the current and potential impact of facilities-related issues, the agency monitors the maintenance of our one facility; any problems and other issues related to its utilization by the agency, by its customers and by its stakeholders are brought to the attention of our landlord and followed up as necessary to ensure resolution.

1.4. Senior leaders maintain fiscal, legal and regulatory accountability by maintaining familiarity with the applicable standards; insisting that the spirit as well as the letter of such standards be fulfilled; carefully reviewing – and acting on, if necessary – the results of all fiscal and operational audits, reoccurring and special reports, contract performance reviews, and related documents; and holding the responsible personnel accountable for compliance.

1.5. Senior leaders regularly review a number of key performance measures, including monthly and annual total final actions attained (by individual Investigators and by overall total); final action totals divided by type; on a monthly and an annual basis, average processing time by individual Investigators as well as overall; customer service input received from Complainants and Respondents; training requests, the number of attendees, and the training evaluations received from attendees; reports from the agency's Fiscal

Officer regarding adherence to the agency's budget and expenditure goals, etc.; and the occurrence of any unusual or unanticipated events which reflect or otherwise impact on performance.

1.6. Organizational performance review findings and employee feedback are reviewed and discussed during regular and special meetings of the management team to assess their content, analyze their meaning and determine how they may best be used to improve leadership and managerial effectiveness. Individuals who receive feedback from staff members are encouraged to take advantage of that feedback as a positive resource, to consider its applicability and potential benefit, and to share the lessons learned with the other members of the agency's leadership. The personal actions of senior leaders reflect a commitment to the organizational values of the Commission through their modeling of those values as reinforcing examples for staff, in their willingness to receive and genuinely consider feedback, and through their commitment to seek and support opportunities for staff development.

1.7. The agency's senior leaders promote succession planning by identifying succession planning as an agency priority and as a critical responsibility of every leader regardless of organizational level, by consistently setting an example of effective succession planning for subordinate leaders and potential leaders, by following up to ensure that subordinate leaders are engaging in succession planning, and by assisting subordinates in their succession planning efforts. Senior agency leaders participate in succession planning and the development of future leaders by:

- Determining the knowledge, skills and abilities which are now required by the agency in leadership positions as well as those which will be required in the reasonably foreseeable future;
- Assessing current personnel resources to determine the presence or lack of the identified knowledge, skills and abilities within the agency;
- Identifying means to remedy the lack of any identified knowledge, skills and abilities (including costs, time requirements, and related issues);
- Determining a schedule of prospective vacancies which can reasonably be anticipated in the foreseeable future (for example, retirements), while recognizing that some vacancies will occur which could not be anticipated;
- Identifying all potential internal candidates for all leadership positions;
- Identifying the readiness of each potential internal candidate in terms of the degree to which he/she possesses the requisite knowledge, skills and abilities;
- Consistent with available financial and other resources and prioritization of positions (in terms of likely vacancy, the timeframe in which a vacancy might occur, and the impact on the agency of a vacancy, including one which occurs unexpectedly in the near term), provide learning opportunities which address identified deficiencies in one or more of the identified qualifications;
- On a continuing basis, provide opportunities for potential internal candidates to actually experience the role, responsibilities and tasks of leadership positions one level up from their current positions, under the supervision of the position incumbent; and

- Provide feasible support for personal professional development activities initiated by individual staff members.

1.8. Senior leaders of the agency create an environment for performance improvement, accomplishment of strategic objectives, and innovation by:

- Viewing, and encouraging others to view, current policies, procedures, practices, approaches and past level of performance standards;
- Stressing every staff member's responsibility for helping to identify opportunities for improvement and means to achieve improvement;
- Welcoming input and constructive criticism from external and internal sources;
- Reviewing key performance measures seeking indicators of areas for potential improvement;
- Reviewing and discussing potential opportunities for improvement during staff as well as management team meetings to ensure maximum input, synergy and buy-in;
- Assessing opportunities in terms of identifiable benefits, costs and urgency in view of available resources to provide a basis for prioritization;
- Welcoming participation in the decision-making process; and
- By utilizing empowered teams to the maximum extent possible to seek and address innovative improvement opportunities which support the attainment of strategic objectives in a manner consistent with the agency's core values.

1.9. Organizational and workforce learning are set by the agency's commitment to improvement and recognition that improvement is founded on attaining, maintaining and increasing knowledge at both the organizational and the individual levels; by the agency head's affirmative commitment to developing a true learning organization; by widespread, intra-staff awareness of the agency's history of support for professional growth and development. During previous years and particularly this past fiscal year, the agency lost a number of long serving employees which has resulted in the training and development of new staff. In addition, senior staff has been able to transfer to other positions, which has allowed the maintenance of organizational knowledge. Organizational and employee learning are deployed through efforts to ensure that policies, procedures and practices are properly documented and kept up-to-date; that best practices are identified, documented and shared; that day-to-day activities, as well as unique situations, are viewed as learning opportunities; and that every member of the staff is encouraged to share his/her insights, experiences and "lessons learned" (what did not work, as well as what did; to what effect; and why?). Organizational and employee learning are communicated through agency and division staff meetings, through publications, and through ongoing vertical and horizontal interactions.

1.10. Empowerment and innovation are "set" through management's recognition of the knowledge, skills and abilities of all agency staff members; its emphasis on responsibility and accountability; its appreciation for creativity, enthusiasm and responsibly exercised

initiative; its commitment to providing opportunities for professional growth and development; and its acceptance of good-faith mistakes and failures as learning opportunities which are inevitable in a dynamic, participatory environment. Empowerment and innovation are deployed through the chief executive's emphasis to management of his expectations for such an approach, by his personal modeling of that approach, and by management's parallel implementation of that approach. Empowerment and innovation are communicated by active solicitation of ideas and input; by timely consideration of suggestions, by implementation of approved recommendations, and by feedback regardless of the action taken; by actively seeking to provide opportunities for decision-making, supporting those efforts but not "taking over" either the process or the decision; by working with staff members to help them learn from the decision-making experience; and by acknowledging and appreciating initiative, input and legitimate decision making even when the results are less than optimal.

1.11. Senior leadership and the agency actively support and strengthen the community through various avenues of service. The agency annually participates in the United Way of the Midlands campaign and the Community Health Charities of South Carolina. The agency has regularly been recognized by both organizations for its pacesetter levels of overall participation and per-capita giving. In 2013, the Commission was selected by the United Way of the Midlands as the "Spirit of the Midlands Award" winner. The Commission was the only state agency to receive this prestigious award. In addition based on the results of the United Way of the Midlands' 2012-2013 campaign, the agency was named the recipient of the Gold Award presented to an organization where the average giving of \$150.00 per employee is recognized. As a result of participating in the 2012-2013 United Way of the Midlands campaign, many members of the staff are volunteering once a month to serve meals at a homeless shelter. This agency sponsored initiative promotes teambuilding and enhances the staff's understanding of one of the agency's principal products which is to promote fairness among a diverse people, and in this instance, relates directly to the mission of the Fair Housing Division. In addition to this community service effort, the agency director personally and on a regular basis encourages staff members to take active, positive roles in the community through charitable, civic and service organizations, programs and activities.

The following reflects the numerous diverse activities of senior leaders which contribute to improving the local and statewide communities in which the Commission operates:

Raymond Buxton, II
Commissioner -Executive Director

- Graduate of the South Carolina Executive Institute
- Member of the National Association of Human Rights Workers; (Chapter Chairman of the SC Chapter)
- Agency Representative for the International Association of Official Human Rights Agencies;
- Vice President of the South Carolina Fair Housing, Inc.
- Trustee Board Member, Saint John Baptist Church
- Member of the Budget & Finance Committee, Saint John Baptist Church

- Former President Omega Psi Phi Fraternity, Inc.
- Volunteer for Senior Resource Center; Former Volunteer for Meals on Wheels; Volunteer for United Way

Delaine A. Frierson - *Division Director*

- South Carolina Chapter of the National Association of Human Rights Workers (Secretary) Former National Board Member
- Mid-South Carolina Chapter of the National Hampton Alumni Association (Vice President)
- Member of the South Carolina State Employees' Association
- Greater Columbia Community relations Council (Housing Committee)
- United Methodist Church Columbia District-Certified Lay Servant Francis Burns United Methodist Church Choir
- Graduate of Leadership South Carolina

Dan Koon - *Division Director*

- Graduate of SC Budget & Control Board Certified Public Manager program and
- Former Board Member of the SC Society of Certified Public Managers
- Graduate of Leadership Columbia
- Volunteer for the United Way of the Midlands serving as Agency Liaison, current volunteer at Transitions Shelter for the Homeless
- Former President and current board member for the Newberry College Alumni Association
- Former member of the Newberry College Board of Trustees
- Current member of the Bethlehem Lutheran Church Council, Worship Assistant and Sunday School Teacher
- Current member of the Irmo High School Improvement Council and past President of the Irmo Middle School Improvement Council
- Current Poll Chair of the Lincreek Precinct, Lexington County
- Former Board member of SC Lutheran Retreat Centers
- Former Chairman of the Midlands CROP Walk against Hunger
- Chair-elect of the Columbia Luncheon Club
- 2001 Employee of the Year, SC Human Affairs Commission

John M. Wilson, CPM - *Division Director/Enforcement Manager*

- Served in Afghanistan in 2007-2008 with the South Carolina Army National Guard
- Former volunteer for the Senior Resource, Inc. Meals on Wheels program
- South Carolina Army National Guard (NCOIC of the Officer Candidate School Student Records Section)
- Member of the U.S.C. Alumni Association, the American Legion: Associate member of the Marine Corps League
- Life member Veterans of Foreign Wars
- Member American Legion

- Graduate of the Certified Public Manager program

Lori Dean –*Administrative Division/Business Manager*

- Graduate of SC State University –BS, 1990
- Outstanding Performance & Excellence Award, 1996 SC Dept. of Public Safety
- Outstanding Volunteer Service Award, Millcreek Elementary 2000-2001
- Millcreek Elementary PTO Treasurer, 2001-2003
- Outstanding Performance & Lasting Contributions on Audit FY03, SCDJJ 2004
- Graduate of Rising Star Leadership Program, SC Department of Education, 2009
- Multiple Certificates of Completion for SC State Government’s Current Accounting System (SCEIS) Instructor-Led Courses

Lee Wilson – *Staff Counsel*

- Graduate of the University of South Carolina School of Law
- Admitted to practice in SC and the U.S. District Court, District of SC
- Member of the SC Bar, Richland County Bar Association and SC Women Lawyers Association
- Former Contributor to National Science Foundation grant studying political jurisprudence
- Coauthor of a book on the United States Supreme Court
- Graduate of National Fair Housing Training Academy’s “Fair Housing Enforcement for Public Sector Attorneys”

Strategic Planning			
Program Number and Title	Supported Agency Strategic Planning Goal/Objective	<u>Related FY 12-13 and Beyond</u> Key Agency Action Plan/ Plan/Initiative(s) and Timeline for Accomplishing the Plan(s)	Key Cross References for Performance Measures*
I. Administration	2.2	1-8: 2-3	7.1; 7.2; 7.3; 7.4; 7.5; 7.6
II. Technical Services/ Community Relations	2.2	2.2	7.1; 7.1 (e, f, g); 7.2 (c)
III. Compliance Programs	2.2	2.2	7.1; 7.1(a, b, c); 7.2 (a, b)

Category 2 – Strategic Planning

2.1. The strategic planning process is conducted by a strategic planning team composed of individuals representing every area of the agency. The team is charged with overall responsibility for development of the strategic plan. The strategic planning team is supplemented by a number of topic-specific teams, each of which is charged with developing the specific details of and implementation approaches for its particular broad strategic area. The strategic planning team and the topic teams were assisted by the Center for Governance of the University of South Carolina’s Institute of Public Affairs in developing the agency’s first strategic plan, thereby ensuring that this first strategic planning effort appropriately identified needs, expectations, goals and plans commensurate with the agency’s capacity and resources at that time, and incorporated a thorough “S.W.O.T.” (strengths, weaknesses, opportunities, threats) analysis. That first strategic plan identified and addressed a number of areas of long-standing agency needs and opportunities for improvement. The agency adapts to the strategic plan as appropriate given recent economic conditions and staffing. In addition, items A-F listed in this section are addressed in various areas of this Accountability Report.

2.2. Action plans addressing key strategic objectives are developed by the topic team(s) focused on the particular objective. The plans are then reviewed by the strategic planning team for conformance with the overall strategic plan. Once such plans are accepted by the strategic planning team, they are submitted to the Commissioner; if approved, they are incorporated into the overall strategic plan. Action plans are tracked by the topic teams which develop them; progress (or the lack thereof, and the reasons therefore) is reported by the respective topic team chairs to the strategic plan coordinator, who reports on the status of the strategic plan to the Commissioner and, as appropriate, to the Commission Members.

2.3. The Commission’s strategic objectives parallel and respond specifically to the agency’s strategic challenges, thereby providing clear and agreed-upon activities and courses of action which directly contribute to addressing those challenges efficiently and effectively.

2.4. Performance measures, strategic objectives, and action plans are communicated and deployed by the virtual agency-wide participation in their development; by publication (including to all members of the staff) of the strategic plan, the subsidiary action plans and the related performance measures; by the participation of many staff members in tracking and reporting on action plans; by participation of staff members in implementation efforts that could be made prior to the loss of the necessary state appropriations; and by frequent informal conversations regarding the strategic plan and its elements.

2.5. The strategic planning committee and Topic teams measure progress on action plans through the written and verbal reports presented by the implementing organizational units and individuals supplemented by observation and assessment of results.

2.6 The strategic planning process is evaluated and improved by a variety of means including:

- Evaluating and reviewing progress of both interim and final results in terms of the goals and objectives set in the strategic plan to identify successes and opportunities for improvement
- Continuous monitoring of both the external and the internal environments to identify changes, impacts and opportunities
- Observing and studying the strategic planning processes of other organizations to learn from their initiatives, successes, and failures and to apply the lessons learned

2.7 The agency's strategic plan is not on the website

Category 3 – Customer Focus

3.1 External customers are identified based on their receipt of the agency's products and/or services. The key requirements of these customers are determined by the products and/or services they seek from the agency; from their input regarding the products and/or services sought and those received; and from their suggestions regarding other products and/or services which they believe the agency might provide.

3.2 We keep current with changing customer/business needs by observing the methods employed by other agencies and organizations; by being sensitive to indicators that the effectiveness and/or efficiency of present methods may be decreasing; by being receptive to input from customers, suppliers and stakeholders which may help enhance our methods even if indicators have not suggested possible decreasing effectiveness and/or efficiency of present methods; actively seeking the benefit of the observations, experience and expertise of other professionals (trainers, contracted technical service personnel, associates in professional organizations, etc.); participating in related training activities; and reviewing available related literature.

3.3 The SCHAC uses various methods to access customers including face-to-face contact, electronic contact (telephone, fax, e-mail), and written communication. These means collectively enable customers to seek information, conduct business, and make complaints on a literal "24/7" basis.

3.4 The SCHAC measures customer/stakeholder satisfaction through the content of letters and telephone calls received and face-to-face conversations; through informal feedback received by the Commissioner and others during and after public meetings and programs; and through news reports regarding the agency.

3.5 The Commission encourages feedback and evaluations from customers/stakeholders to improve services. This information is reviewed and studied continuously.

3.6 Positive relationships are built with customers and stakeholders by recognizing that each is a fellow human being with legitimate interests and concerns and by treating each in that manner regardless of the services the agency is able to render; by ensuring that all services are rendered in at least the same genuinely courteous, professional manner that every Commission staff member would expect in a customer/stakeholder role and consistently at no less than in full compliance with the qualitative standards required by the agency; by ensuring that all understand the parameters within which the Commission must work, the standards with which the agency must comply, the scope and the limits – of the agency’s jurisdiction, the processes and procedures used, and the “what” and the “why” of what is done; by genuinely listening to and hearing what the customer/stakeholder has to say; by responding in a timely and substantive manner to contacts and concerns; and by ensuring that each customer/stakeholder knows that his/her honest input, whether positive or negative, is welcome and will receive appropriate consideration.

Category 4 – Measurement, Analysis, and Knowledge Management

4.1 Operations, processes and systems are selected for measurement based on generating the information necessary to ensure compliance with the requirements of state and federal laws, regulations, rules and reporting requirements; the information necessary to track performance in terms of the areas of program activity defined pursuant to the laws the agency enforces, the jurisdiction granted by those laws and the responsibilities assigned to the agency to carry out the legislative intent embodied in those laws; the information necessary to track performance pursuant to the agency’s contractual obligations and to meet the reporting requirements of those contracts; the information necessary to respond to ongoing as well as special reports and requests for information; and the information (if any) indicating progress relative to strategic objectives and action plans which is not produced by the foregoing.

4.2 The SCHAC provides effective support for decision-making through the accurate, timely generation of routine, recurring reports regarding program areas and the performance of individual staff members; of information indicating variances from expected levels of performance and identifying the source(s) of those variances; of the information required to support projects, special reports and responses to non-routine requests for information; and to provide the information for ad hoc reports and to support other agency activities (for example, contract negotiations). The data/information to be included in a particular instance is determined by the need to be addressed and the level of analysis to be conducted. The results of data/information analysis are disseminated within the agency depending on their level and intended purpose.

4.3 Key measures utilized by the agency include monthly and annual total final actions attained (by individual Investigator and by overall total); final action totals divided by type; on a monthly and an annual basis, average processing time by individual Investigator

and overall; customer service input received from Complainants and Respondents; training requests received, the number of attendees, and the training evaluations received from attendees; reports from the agency's Fiscal Officer regarding adherence to the agency's budget and expenditure goals, etc.; and the occurrence of any unusual or unanticipated events which reflect or otherwise impact on performance. Key measures are reviewed by top management and the affected members of the leadership team as they become available, and in agency management meetings for discussion to gain the maximum insight into what they mean. Based on those assessments, appropriate responses are determined and implemented with the input of other relevant staff members. Key measures are kept current with organizational needs and direction by ongoing review of what they measure, what information they provide, the utility of the information provided, and whether experience suggests that other potential measures may better serve the agency's needs. If modifications are found necessary, or if other measures are identified, the appropriate modifications and/or measures are developed and tested, with subsequent action (adoption, modification, rejection) when implemented.

4.4 Comparative data and information are selected and used to provide legitimate, meaningful bases for intra-agency (for example, comparing the agency's current performance trends with those during a comparable previous period) and inter-organizational (comparing the agency's performance with that of other agencies or organizations with comparable jurisdiction/responsibility, areas of activity, staffing/resource levels, etc.) assessment, for planning purposes, to support resource allocation/modification decisions, for reporting and control purposes, and to support other activities such as contract negotiations. The selection decisions are made based on the need to be addressed, the level of analysis required, the criticality of the comparative data and information to the decision to be made or the purpose to be served, the accessibility of the information, and the cost of the information compared to the benefit it will provide.

4.5 Timeliness, data integrity, accuracy, security and availability for decision making are ensured by assuring that clear, shared definitions of data types and their elements are maintained and adhered to; by defining the acceptable source(s) for data of each type; by assigning authority and responsibility for data entry, maintenance and modification; by verifying data through comparison with source documents, inventories, reconciliation of variance reports and other means as appropriate; and by maintaining data in secure yet appropriately accessible, mutually supporting systems (computer, hard copy) available for use as needed.

4.6 Organizational performance review findings are translated into priorities for continuous improvement through a multi-step process which includes:

- Review and analysis of the findings by the agency's management team with the input, if necessary, of other staff members, to fully understand the meaning and implications of the findings and to identify root causes to ensure that real issues are addressed rather than mere symptoms;

- Identification of options for addressing each root cause; Assess the viability and feasibility of each option, including the potential to fully resolve the respective root cause, resources required (including financial) for implementation, means of implementation, time required for implementation, and mechanisms for evaluation of results;
- Selection of an option for addressing and resolving each root cause; Assessment of the potential combined effect(s) of the selected options to seek to determine their likely cumulative impact and whether the combination can be anticipated to give rise to new issues, and if the new issues are negative, reconsider the selections and take action as appropriate;
- Prioritize implementation in terms of the agency's strategic goals and objectives and resource availability;
- Evaluate results and take action as necessary to optimize results.

4.7 The Commission utilizes various means to collect, transfer and maintain its knowledge assets (organizational and employee knowledge) and for the identification and sharing of best practices. These means include information sharing in meetings at all organizational levels; creation and maintenance of up to date policies, procedures and documents (manuals, assessments of activities and lessons learned, etc.) and backup of organizational knowledge systems to ensure against catastrophic loss.

Category 5 – Workforce Focus

5.1 Staff is encouraged and enabled to develop and utilize their full potential in a manner aligned with the Commission's objectives, strategies and action plans by a variety of means which include:

- Evaluation of performance based on clear and consistently applied performance standards which reflect and contribute to the fulfillment of objectives, strategies and action plans;
- Recognition of and appreciation for each individual's contribution to the agency's success;
- Seeking to ensure that each individual receives recognition, benefits and rewards commensurate with the level of performance attained and contribution to fulfilling the agency's objectives, strategies and action plans in a manner which is consistent with and reflects the agency's core values;
- The use of empowered teams to optimize results while ensuring that the learning opportunity and the benefits thereof provided by each such activity are widely shared and incorporated into the agency's knowledge assets, and recognizing and rewarding successful team work;
- Actively seeking and responding to staff input in a manner which encourages creativity and innovation;
- Providing opportunities for participation, learning and broadening of staff member's working experience;
- Encouraging responsibly exercised initiative, and viewing it as an opportunity for individual, team and organizational learning even when the results are less than optimal;
- Working to support and provide opportunities for professional growth and development;

- Maintaining the agency's well-earned reputation for commitment to and looking out for the legitimate interests and concerns of employees; and
- Treating each employee as a fellow professional and stakeholder in the success of the agency.

5.2 Effective communication and knowledge sharing across divisions are conducted through the Administration Division's human resource-related area where the monitoring operation of the processes for indicators of opportunities for improvement; studying comparable processes in other organizations to identify best (or at least better) practices and to benefit from the "lessons learned" of others; receiving and assessing input from affected staff members regarding their experiences with the processes; and by participation in information and training activities and programs of the Budget & Control Board's Office of Human Resources. For example, since the agency has had some funding restored to it since the 2010 budget crises, the agency has been able to restore the investigative process of §1-13-90(e) and Public Accommodation complaints. As a result employees in the Technical Services and Community Relations Division were able to access best practices in the Compliance Division that investigates employment discrimination complaints to set up a similar process to investigate non-employment discrimination complaints.

5.3 SHAC recruits, hires, places, and retains new employees by following standard human resources procedures;

- For example, we post vacancies on NEO.Gov and internally.
- Human resources and appropriate managers screen applications for interviews.
- Selection is made with the Commissioner's approval.
- New employees go through an agency orientation. In addition, on going training is encouraged to enhance employee skills.

5.4 Workforce capability and capacity needs including skills, competencies and staffing levels are accessed through multiple methods such as through the review of annual performance evaluations, the number of complaints that are annually accepted through the Intake process and distributed to the various departments for resolution and through the annual assessment of productivity in each department. The assessment results in an action plan related to workforce capability and staffing levels.

5.5. The Commission's employee performance management system supports high performance by clearly defining standards for levels of performance which are derived from and contribute directly to fulfilling the Commission's goals, objectives and action plans; by accurately measuring actual performance and consistently evaluating actual performance in terms of the applicable standards; by providing performance feedback to employees on annual, monthly and even daily bases; by providing immediately available support to assist in overcoming obstacles to performance improvement; by ensuring that employees are made aware of and reminded of their actual potential for high performance and that such performance is recognized by others; and by recognizing and acknowledging individual and group performance achievement, thereby reinforcing the performance efforts which led to the accomplishment.

5.6. Key development and training needs are identified through day-to-day supervisory observation, interaction and work product review; through formal performance assessment; through input received from employees regarding their interests and career goals; and through assessment of the agency's goals, current and anticipated needs, and the potential impact of external factors (new legislative mandates, demographic changes, budget reductions, etc.) on the agency's operations and resources.

Training and development needs are addressed through on-the-job training in position-specific skills; providing opportunities for employees who are proficient in their current positions to assume additional, higher-level or more demanding responsibilities or to gain experience in the activities of other positions and/or units; through formal training provided in-house or by outside trainers (the agency, for example, provided mediation certification training to selected staff members conducted by a nationally-recognized professional practitioner.); through agency-supported attendance at professional conferences and programs; and through agency-supported participation in formal professional development programs presented by various educational institutions and other organizations. (An example of the last item is the Certified Public Manager program presented by the Human Resources Development Services Unit of the Budget & Control Board's Office of Human Resources, successful completion of which leads to receipt of the nationally-recognized Certified Public Manager ["CPM"] professional credential. In past years, five agency staff members have earned the CPM credential. Due to budget reductions, the agency has not been able to fund the cost for additional staff members to participate in the CPM program or, for that matter, in other professional development opportunities at a significant level for several years.)

5.7. We are utilizing the experience and knowledge of our senior staff to train new staff and have developed a seminar for EEO Professionals that is 18 hours of classroom training in-house. All education and training is evaluated by (a) assessing on "before-and-after" basis observable positive changes in performance (productivity, the ability to share knowledge with others, etc.), professionalism, and capacity for service in broader or more demanding situations, at higher levels, etc. and (b) on a longer term basis, the degree of benefit retention.

Employees are encouraged to use new knowledge and skills on the job by clearly establishing positive expectations prior to the developmental/training experience for application, the assignment of activities and responsibilities which will provide opportunities for their application, by recognizing the new knowledge and skills and commending their successful application, and by encouraging the staff members to provide input for agency improvement based on their new knowledge and skills.

The strategic plan includes a comprehensive approach to addressing the agency's short and long term development needs. However, the state's financial constraint and therefore those of the agency ended these efforts at least for the foreseeable future to the extent that there is anything more than a *de minimus* cost involved to the agency unless the employee is willing and able to pay most if not all of the cost to participate. The agency's inability to make needed investments, especially in professional development activities and specifically in management/leadership development, can reasonably be expected to have short-term (for example, loss of high

performers who can no longer expect either financial compensation growth commensurate with their performance and role/responsibilities or opportunities for professional growth which might offset financial considerations at least to some degree) and long-term (for example, reduced ability to compete for and successfully recruit the future high achievers who will be critically necessary to any realistic effort to do even “more with less” and to replace those who have departed and those who will do so) adverse impacts on the agency which will become increasingly severe.

5.8. The on-the-job use of new knowledge and skills for employees is encouraged through management expressing to employees to recognize that the use of these new skills is ultimately the personal responsibility of the employee for their development as professionals. Also, those who take the initiative to accept this responsibility are celebrated through management’s positive feedback. The agency supports by all feasible means personal initiatives in professional development and providing opportunities to apply new and/or enhanced knowledge and skills.

5.9. Training of employees contributes to the achievement of the agency’s action plans by developing and enhancing both skills and potential. Training provided either in-house or through external sources, is selected based on criteria which include consideration of the elements of the strategic plan. The result is to broaden the agency’s internal resource base and further increase its capacity to attain its strategic goals and objectives. Training, for example, is made available to employees so as to enhance the skills needed to better perform assigned tasks or to learn new processes needed in the workplace.

5.10. The evaluation of the effectiveness of the workforce, leader training and development of systems is conducted through managers evaluating performance of employees based on clear, consistent and applied methods. Based upon these evaluations, management, through scheduled monthly meetings discuss the topics of workforce development and leadership training. Based upon these discussions, plans of action are formulated.

5.11. The Commission motivates employees to develop and utilize their full potential by various mutually reinforcing means which include:

- The Commission participates in Employee Recognition Day. During this time the Commission usually has a luncheon and recognizes employee contributions and long service as well as other accomplishments.
- Seeking to provide development opportunities paralleled by opportunities to apply new and/or enhanced knowledge and skills;
- Seeking to ensure that each individual receives recognition, benefits and rewards commensurate with the level of performance attained and contribution to fulfilling the agency’s objectives, strategies and action plans in a manner which is consistent with and reflects the agency’s core values;

- Encouraging responsibly with exercised initiative, and acknowledging it as a positive effort to contribute to the Commission's success even when the results are less than optimal while ensuring that resulting "lessons learned" are in fact learned, retained and shared.

5.12. Employee well-being, satisfaction and motivation are assessed and measured through direct contact (conversations, verbal input received from employees, etc.), written input received from employees, and day-to-day observation of performance, attendance, demeanor and related indicators. We also conduct exit interviews with departing employees.

5.13. Small agencies like the SCHAC do not have many opportunities for upward mobility but we encourage cross-training and promoting from within whenever possible. A professionally developed survey of agency employees was to be conducted by the Human Resources Development Services Unit of the Budget & Control Board's Office of Human Resources pursuant to the Commission's strategic plan; however, due to the expense involved and the Commission's financial constraints, the survey effort was placed and remains on hold.

5.14. The Commission maintains a safe, secure and healthy work environment by monitoring conditions of our one facility, identifying areas of need, bringing these matters to the attention of our landlord, and conducting appropriate follow-up; by controlling access to our offices (electronically controlled locks on entrance doors which can only be activated by the receptionist or by a staff member using his/her individual key card) and by requiring that all visitors sign in, wear a visitor identification tag, and be escorted while in the office by the individual he/she came to see; and by participating in the state employee's Health Prevention program particularly in the area of fighting obesity.

Category 6 – Process Management

6.1. The Commission's Core competencies that relate to the agency mission, and action plan and that produce, create or add value for our customers and the agency are those for discrimination complaint intake, investigation and resolution services; for affirmative action consulting services (including preparation of the annual report on the affirmative action status of state agencies as required by the Legislature); for the provision of training services; and for community relations consulting services. The agency ensures these processes are used properly internally by maintaining comprehensive, up to-date operational policies and procedures; appropriate staff training; monitoring operations to ensure compliance. The agency ensures these processes are used externally by public affairs contacts to ensure members of the public are aware of the processes; by sharing information with parties (Complainants and Respondents) and others who contact the agency to ensure they are aware of the processes and their operation; and by monitoring the utilization of the processes to identify opportunities for improvement.

6.2. The Commission’s key processes include built-in “checks and balances” (approval, monitoring, review, and reporting processes) which ensure that day-to-day operation meets key performance requirements, and that problems which may detract from meeting those requirements are identified and can be addressed before becoming serious enough to endanger compliance.

6.3. Organizational knowledge is incorporated into the agency’s process design and delivery systems through the participation, both formal and informal, of and the ongoing solicitation of input from all affected personnel. New technology is incorporated into the agency’s process design and delivery systems through identification of opportunities to qualitatively and quantitatively enhance operational activities through the application of new technology; evaluation of what impacts, if any, the new technology will have on other systems currently in use within the agency and what actions may be required to address such impacts; assessment of what new skills/knowledge will be required to implement the new technology and how, where and at what cost the new skills/knowledge can be obtained; development of the necessary training/learning opportunities; monitoring the incorporation process, the new technology and the overall affected system(s) to identify and address unanticipated problems; and maintenance of predecessor (“legacy”) systems, if any, during a testing/transition phase.

Changing customer and mission-related requirements are incorporated into the agency’s process design and delivery systems through assessment of the present and anticipated future impacts of those changes on the agency’s systems, capacities and resources; assessment of how the changes may be incorporated in a manner which, at worst, does not reduce current levels of effectiveness and efficiency, and preferably enhances those levels; evaluation of what modifications in agency policies, procedures and activities will be necessitated due to incorporation; development of a plan and a schedule for an orderly incorporation process; and monitoring of the incorporation process and its results to identify needed adjustments.

Cost controls and other efficiency and effectiveness factors are incorporated through identification of applicable costs and assessment of those costs in light of agency priorities; detailed budgeting and regular review of budget and variance reports; ongoing monitoring of actual vis-à-vis expected results, with corrective action taken in a timely manner; comparison of activities and performance with those of comparable agencies; and an agency-wide emphasis on identifying opportunities for continuous improvement in every activity and area.

6.4. The SCHAC monitors and evaluates day-to-day operations continuously through engagement to ensure requirements are met.

6.5. Key product and service related processes are systematically evaluated and improved by monitoring and assessing results and input from external as well as internal sources against both qualitative and quantitative standards; identifying variances, the sources of positive variances and means to maintain the gain, and the core cause(s) producing any negative variances and the means to effectively and efficiently resolve them; taking timely action to sustain positive variances and to remedy negative variances; reviewing and assessing the best practices and “lessons learned” of other agencies and organizations with comparable processes to identify

improvements which can be incorporated into the Commission's processes; and continuously soliciting the input and suggestions of staff members based on their actual "hands-on" day-to-day experience with the processes and seeking to apply that input and those suggestions to the identification and implementation of opportunities for improvement.

6.6. The Commission's key support processes are administration, fiscal, information resources, legal counsel, personnel, and procurement. The performance of these processes is reviewed on ongoing formal and informal bases by the Commissioner as well as the staff members who fulfill the respective roles. The processes are improved and updated based on the resultant opportunities for improvement identified, as well as based on both input received from and requirements established by other relevant agencies (Comptroller, IRM, OHR, etc.).

6.7. The Commission determines the resources needed to meet current and projected budget and financial obligations by:

- Determining the activities required to attain goals and objectives for the period at the qualitative and quantitative levels of performance to be sought during the period.
- Determining the non-financial resources (staff, training, equipment, supplies, travel, etc.) which will be necessary to carry out those activities at the desired performance levels.
- Determining the projected costs (financial resources) of each non-financial resource required to carry out activities at the desired levels of performance and in total.

Category 7 – Results

7.1. Performance levels and trends for the key measures of mission accomplishment and organizational effectiveness:

a) The Commission's complaint processing begins with the intake process. The Intake Division is the first point of contact with the agency for individuals seeking to file complaints of unlawful discrimination or otherwise seeking information regarding the potential to do so. The intake process includes initial contact (in person, by telephone, mail or by e-mail); obtaining relevant information from the potential Complainant; review and assessment of that information; referral of individuals to other appropriate agencies or resources if the information provided does not indicate a matter subject to the Commission's jurisdiction and such alternatives are available to address the issues presented; preparation of a formal complaint of discrimination in those instances in which a cause of action subject to the agency's jurisdiction is indicated; entering the new complaint into the agency's caseload; and transfer of the newly filed complaint for processing.

During state fiscal year 2012-2013, approximately 15,000 contacts were received by the Intake Division. As a result to many of these inquiries, Intake questionnaires were sent out by the Division, and approximately 1,215 questionnaires were completed and returned to

the Division resulting in a total filing of 909 formal complaints of discrimination. In addition, 306 inquiries were referred to other agencies or other resources for resolution.

During state fiscal year 2012-2013, a total of 1078 new complaints of employment discrimination were received (including complaints initially filed with the EEOC and transferred to the Commission for processing). A total of 796 final actions (including 57 final actions attained as the result of successful mediations) were attained during the fiscal year. The agency's average processing time for complaints of employment discrimination decreased to 226 days during the fiscal year from 239 days during the preceding year, reflecting the increase of hiring several contract employees to the compliance division that were able to produce additional cases during the year. The 796 final actions attained during 2012-2013 generated a total of \$447,600 in EEOC contract funds which were critical to the continued viability of the agency. The agency is presently staffed to produce 864 final actions per year at current qualitative standards.

Since the creation of the Commission in 1972, the agency has resolved problems in human affairs and attained final actions in over 31,796 complaints of employment discrimination. It should be noted that during the entire period of the agency's existence, no final action attained by the South Carolina Human Affairs Commission has been overturned by the EEOC, and that only one final action has been overturned by any court, whether state or federal. (That one final action was overturned on appeal by the United States Fourth Circuit Court of Appeals based on evidence which was not available during the Commission's investigation of that complaint.) This point is particularly significant, since it reflects the quality, thoroughness and professionalism embodied in the agency's complaint processing and the resultant final work product. Settlements attained in employment discrimination complaints during state fiscal year 2012-2013 had a total monetary value of \$690,866. Since the creation of the agency in 1972, the total value of settlements attained is over \$27,400,000.

b) During state fiscal year 2012-2013, a total of 96 mediations were conducted. A total of 57 of these mediations were successful in attaining resolutions of the subject complaints. This represents a success rate of over 59 percent. Second, the percentage of mediations which resulted in successful resolutions was consistently over 50 percent or greater. The record of successful mediation resolutions, in both absolute and relative terms is attributable to the increased knowledge of, interest in and comfort with the mediation process on the part of the Complainants and Respondents, as well as the professionalism and skills of the Commission's mediation staff.

c) A total of 58 complaints of fair housing discrimination were filed with the Commission during the state fiscal year of 2012-2013, and 46 were closed, generating \$133,282 in HUD contract funds. Forty-three percent of the cases were processed within the 100-day timeframe required by HUD. Notably, 15 of the 46 cases were conciliated resulting in a monetary value of \$132,409. Also, there were 3 cause cases while 17 cases were no cause. The remaining cases were closed through either failure to cooperate (7) or withdrawal without (2) or with (2) resolution. The Housing Division continued to conduct fair housing outreach as one of the components of the two HUD grants awarded in FY 2012-2013. The first grant is for \$49,000.00 to conduct fair housing outreach in Richland County.

The second grant is for \$94,000 to conduct fair housing outreach in eleven counties of South Carolina with the highest percentage of Hispanic residents. Those counties are: Richland, Lexington, Horry, Saluda, Newberry, Greenville, Spartanburg, Charleston, Berkeley, Dorchester, and Beaufort.

d) The Commission, due to increased funding from the Governor and Legislature during fiscal year 2012-2013, was able to add one (1) employee to work full time and one (1) contract temporary employee to work in the area of Community Relations and the investigation of §1-13-90(e) (non-employment and non-housing discrimination complaints) and Public Accommodation Complaints. The Commission was able once again, beginning in August of 2012, to begin the Intake Process to assist citizens to file 90(e) and Public Accommodations charges which resulted in 84 cases being filed and 35 receiving final resolution.

e) A total of 23 local Community Relations Councils have been chartered in the past by the Commission within the state prior to severe budget cuts. With additional funding received during the fiscal year, the Commission has once again employed staff to reinstitute the process of charting Community Relation Councils with the goal of establishing councils in each of the State's 46 counties.

f) During state fiscal year 2012-2013, the agency's Technical Services Division presented 13 workshops and seminars during which training was provided to a total of 580 participants representing state government, local government and private sector employees. While the number of training events were lower than in previous years, it must be noted that during the 2010-2011 state fiscal year, the Agency had to layoff all of this Division's staff members, 5 employees, with the exception of the Division's Director who was the sole employee. During the 2011-2012 fiscal year one position was added to the Division to assist with this Division's duties, but during the 2012-2013 fiscal year the Division Director, after over 30 years of service, retired. This has led to a decrease in training workshops; however, with a new director in place, an increase in the number of training opportunities is expected.

g) This Division is also charged with the responsibility for carrying out the agency's affirmative action consulting and reporting activities, including the preparation of over 90 state agencies and universities affirmative action plans, and of the comprehensive annual report on the state of equal employment opportunity in SC state government as required by state statute. Of the 85 state agencies filing affirmative action reports, (78) seventy eight or 91.8% of the agencies achieved at least 70% of their affirmative action goals during state fiscal year 2012-2013. The number of state agencies attaining this standard has been generally stable over the most recent fiscal years. Also, the number of such agencies holding exemptions due to having attained their affirmative goals remained unchanged at 3 for many years.

2012-2013 Accountability Report of SC Human Affairs Commission

PERCENTAGE LEVEL OF GOAL ATTAINMENT

Alphabetical Order

Chart C (Page 1 of 2)

RANKING	AGENCY	PERCENT	RANKING	AGENCY	PERCENT
46	Accident Fund, State	82.9	55	Francis Marion Univ.	80.1
66	Adjutant General's Office	70.7	41	Governor's Office Executive Policy	84.7
38	Agriculture, Department of	85.7	56	Governor's School for Science & Math	88.3
16	Aiken Tech College	90.7	45	Gov's for Arts & Humanities	83.3
52	Alcohol and other Drug Abuse	82.0	8	Greenville Technical College	95.7
18	Archives and History, Department of	90.2	35	Health and Environmental Control	86.4
1	Arts Commission	100.0	22	Health and Human Services,	89.7
68	Auditor's Office, State	69.1	38	Higher Education, Commission on	85.7
36	Blind, Commission for	86.3	43	Horry-Georgetown Technical College	84.0
28	Budget & Control Board	87.7	72	Indigent Defense	63.1
34	Central Carolina Technical College	86.5	12	Insurance, Department	92.5
73	Citadel	62.2	64	John de la Howe	74.0
27	Clemson University	87.9	39	Juvenile Justice, Department of	85.5
47	Coastal Carolina University	82.6	58	Labor, Licensing and Regulation, Dept	79.6
64	College of Charleston	74.0	71	Lander University	63.8
1	Commerce, Department of	100.0	57	Law Enforcement Division, State	79.8
9	Comptroller General's Office	94.5	5	Library, State	97.7
13	Consumer Affairs, Office of	92.0	1	Lieutenant Governor's Office	100.0
25	Corrections, Department of	88.4	24	Medical University Hospital	89.0
60	Criminal Justice, Academy	78.7	53	Medical University of South Carolina	80.8
40	Deaf and Blind, School of	84.9	42	Mental Health, Department of	84.3
49	Denmark Technical College	82.4	21	Midlands Technical College	89.9
61	Disabilities & Special Needs, Dept. of	78.3	15	Motor Vehicles, Department of	91.1
48	Education, Department	82.5	1	Museum Commission	100.0
17	Education Lottery, South Carolina	90.4	36	Natural Resources, Department of	86.3
4	Educational Television Commission	97.8	52	Northeastern Technical College	82.0
6	Election Commission, State	97.1	26	Orangeburg-Calhoun Tech College	88.2
23	Employment and Workforce	89.1	70	Parks, Recreation & Tourism, Dept. of	65.3
20	Financial Institutions, SC Board of	90.0	69	Patriot's Point	68.1
50	Florence-Darlington Tech College	82.3	30	Piedmont Technical College	87.3
64	Forestry Commission	74.0	69	Ports Authority, State	68.1

PERCENTAGE LEVEL OF GOAL ATTAINMENT

**Alphabetical Order
Chart C (Page 2 of 2)**

RANKING	AGENCY	PERCENT	RANKING	AGENCY	PERCENT
54	Probation, Pardon and Parole Department of	80.2		*Attorney General's Office	Exempt
59	Public Safety, Department of	79.1		*Housing, Finance and Development	Exempt
63	Public Service Commission	75.3		*Second Injury Fund	Exempt
62	Regulatory Staff, Office of	76.3			
10	Revenue, Department of	92.9			
3	Santee Cooper	99.2			
7	Secretary of State	96.6			
14	Social Services, Department of	91.6			
67	South Carolina State University	70.2			
17	Spartanburg Community College	90.4			
32	Technical College of the Low Country	86.8			
18	Technical and Comprehensive	90.2			
29	Transportation, Department of	87.5			
44	Treasurer's Office, State	83.6			
19	Tri-County Technical College	90.1			
2	Trident Technical College	99.9			
51	University of South Carolina	82.1			
33	Vocational Rehabilitation, Department of	86.6			
31	Williamsburg Technical College	86.9			
65	Wil Lou Gray Opportunity School	71.5			
37	Winthrop University	86.2			
1	Workers' Compensation	100.0			
11	York Technical College	92.8			

7.2 Performance levels and trends for key measures of customer satisfaction:

a) Input from Complainants is disproportionately received from those individuals whose complaints result in findings, based on the evidence gathered during the investigation of their complaints of discrimination, which are not in their favor. These individuals consistently state their dissatisfaction with the decision, and often comment that the process was not “fair” (although they were informed when filing that the role of the Commission is to conduct impartial, objective investigations and to issue decisions based solely on the evidence).

b) Input from Respondents appears to be received on a more representative basis. Respondents frequently note that the Commission’s processing is more timely than that of other similar agencies with which they have experience and, regardless of the nature of the decision issued, often cite in positive terms the agency’s objectivity, professionalism and courtesy.

c) Training participants provide input using a questionnaire which, in addition to seeking narrative comments regarding the training received, provides ranking scales (1 = below average, 3 = average, 5 = exceptional) for five key measures. The pattern of responses based on these numerical rankings has consistently been an average of “4.5” on both the individual elements and overall.

7.3 Based on audit reports and monitoring of budget data (actual to planned), the Commission continues to control expenditures within budget levels while seeking to maintain service levels across the diverse set of responsibilities assigned to the agency by the various laws it administers.

7.4 Since the agency’s financial constraints have prevented the Commission from proceeding with the planned employee survey, formal measures of employee satisfaction are not available at this time. However, it should be noted that the agency has thus far maintained its established level of performance despite the adverse consequences of the recent history of repeated budget reductions, which strongly suggests that employee dedication and commitment have not wavered, although it would be unrealistic to claim that morale has not eroded under the ongoing negative reinforcement attributable to financial difficulties, the actions taken to address them, and the lack of opportunities for career growth. Indeed, what the agency accomplished in a positive vein as reflected in this report is attributable solely to the dedicated efforts of its employees on behalf of the people of South Carolina. Employee involvement in terms of charitable and civic participation has not evidenced any decline. The agency’s financial constraints have, as previously noted, eliminated agency supported employee development efforts other than those which can be provided at virtually no cost or those for which employees are willing and able to pay for themselves. If it continues, this inability to make appropriate investments in staff development will adversely affect both the agency’s future and the legitimate expectations of its cadre of professional public servants, particularly the most marketable, those with sustained levels of high performance and achievement.

7.5 Based on available information (audit reports, performance reviews, contract reviews, etc.), the agency's performance levels for measures of regulatory/legal compliance are high, trends are stable, and there are no indicators of actual or potential non-compliance. All input from the greater state community indicates that the agency continues to enjoy a broad, firm base of community support except among a portion of those individuals whose complaints did not result in decisions in their favor (a frequently very vocal group), individuals who would like to see the Commission move from its legitimate role as a neutral fact-finder to that of advocate, and those who oppose the principles for which the agency stands.

7.6 Regulatory and Legal Compliance and Citizenship

In terms of performance levels and trends for the key measures of regulatory/legal compliance audits that have been conducted by both state and federal entities for compliance with state and federal laws, mandates and regulations, audits have shown no major defects nor issues. Also, the continuous renewal of major contracts with external customers provides a clear measure that performance levels and trends are successful. Clearly, based upon these positive measurements and the positive comments from other external customers, evidence substantiates that Community support is strong for the agency.

The Commission is dedicated to delivering the justice and equality demanded by the statutes we are entrusted to enforce.