

# South Carolina Department of Labor, Licensing and Regulation

## Division Presentations

HOUSE LEGISLATIVE OVERSIGHT COMMITTEE

ECONOMIC DEVELOPMENT, TRANSPORTATION, AND NATURAL RESOURCES  
SUBCOMMITTEE MEETING

SEPTEMBER 10, 2018

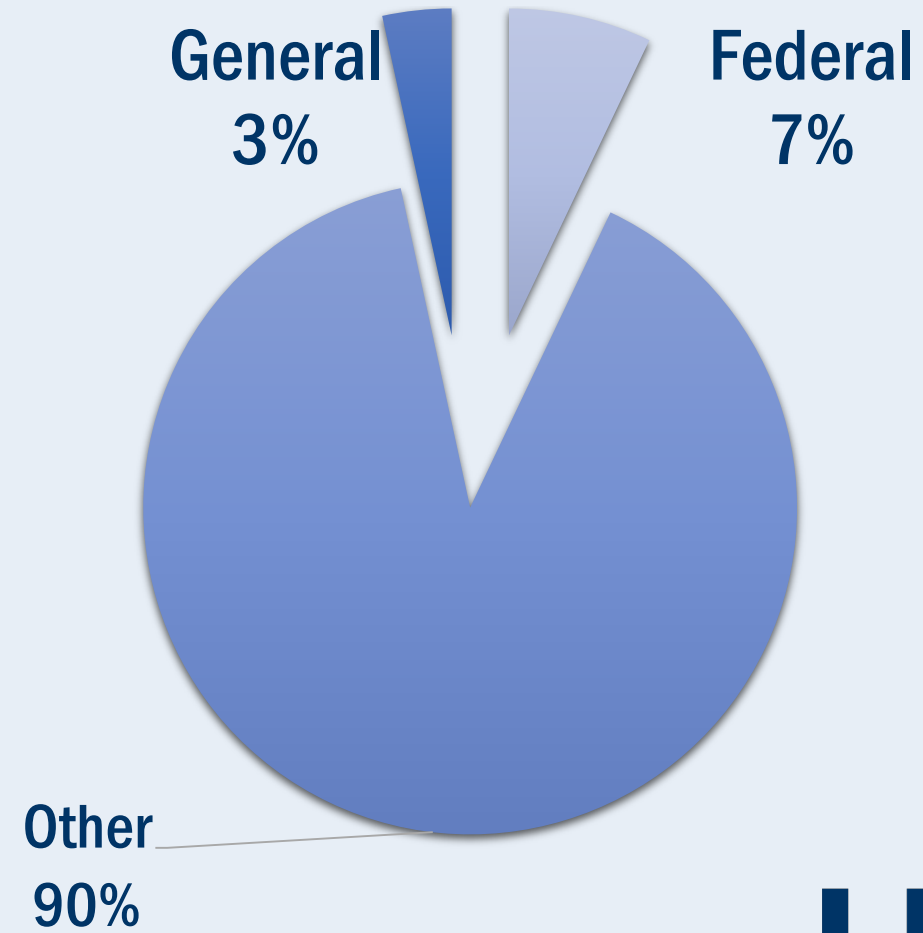
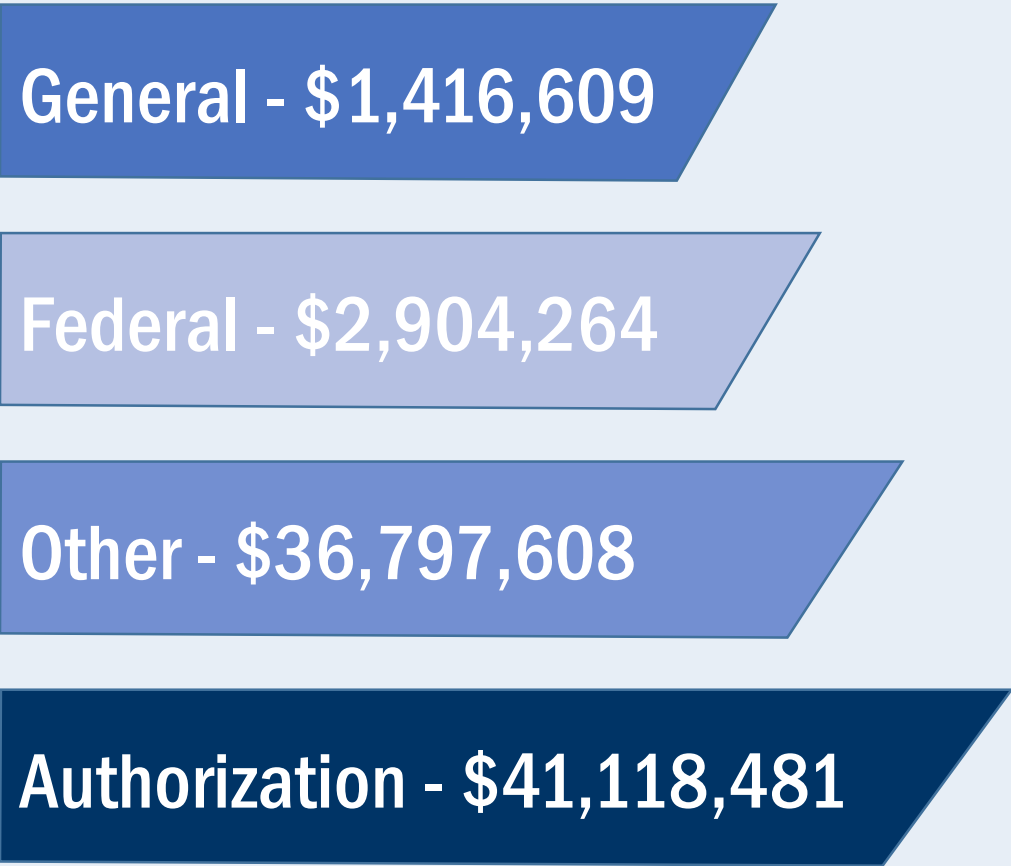
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# AGENDA

- Agency Finances Overview
- Labor Programs:
  - Division of Occupational Health and Safety Administration
  - Wages and Child Labor Enforcement
  - Office of Immigration Compliance
- Office of Elevators and Amusement Rides

# FY18-19 Funding



# FY18 Other Funds Revenue

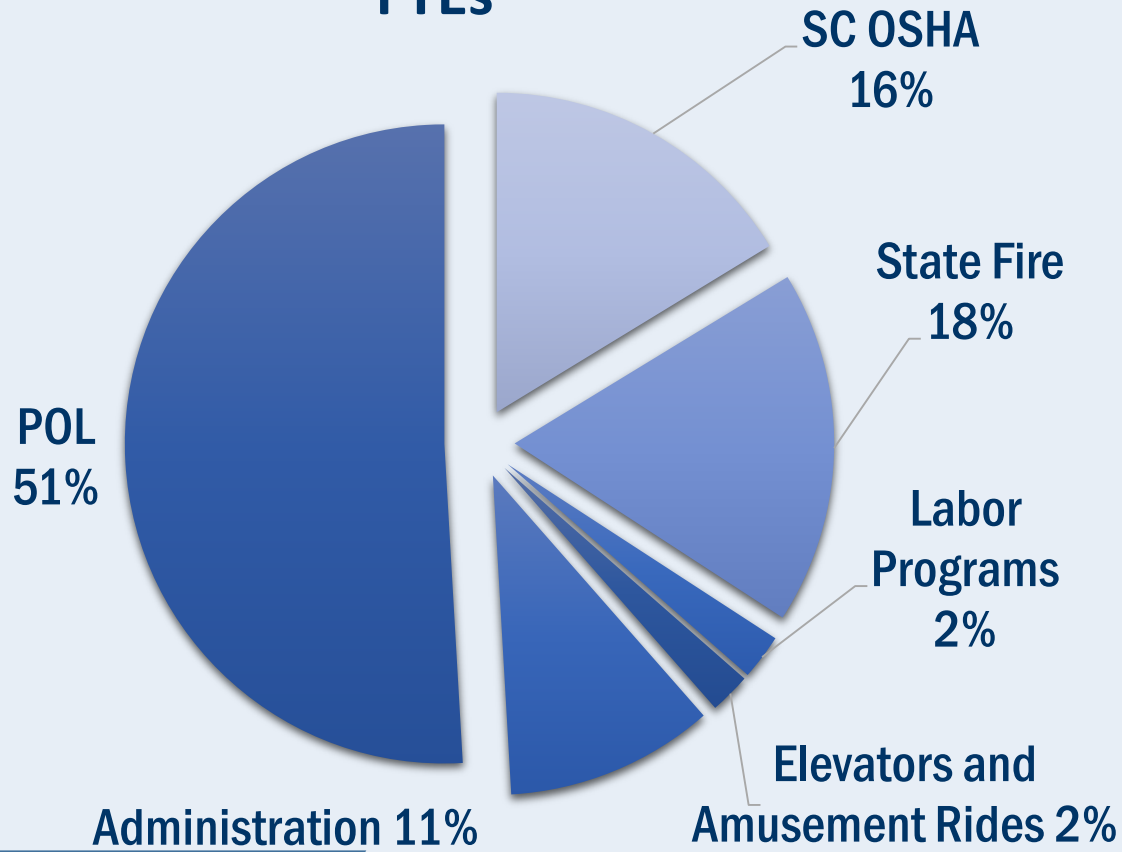
Breakdown of Other Funds	Amount
Licensing Renewal Fees	\$17,766,973.48
Initial Licenses/Permits/Exam Fees	\$6,983,216.83
Fire Insurance Premium Tax (Section 38-7-30)	\$6,828,624.68
Act 60 – Fire Insurance Premium Tax (Act 60 of 2001)	\$4,657,537.00
Fire Academy Training	\$1,030,997.50
Service Agreements with other Agencies	\$924,601.41
V-Safe Program	\$765,288.68
Elevators/Amusement Rides Fees	\$707,925.10
POL Violation Fines	\$422,897.19
OSHA Fines	\$295,375.00
Fire Academy Rent/Sale of Goods	\$266,560.69
Miscellaneous Revenue	\$227,368.81
Wages/Child Labor Program Fines	\$39,683.59
<b>TOTAL</b>	<b>\$40,917,049.96</b>

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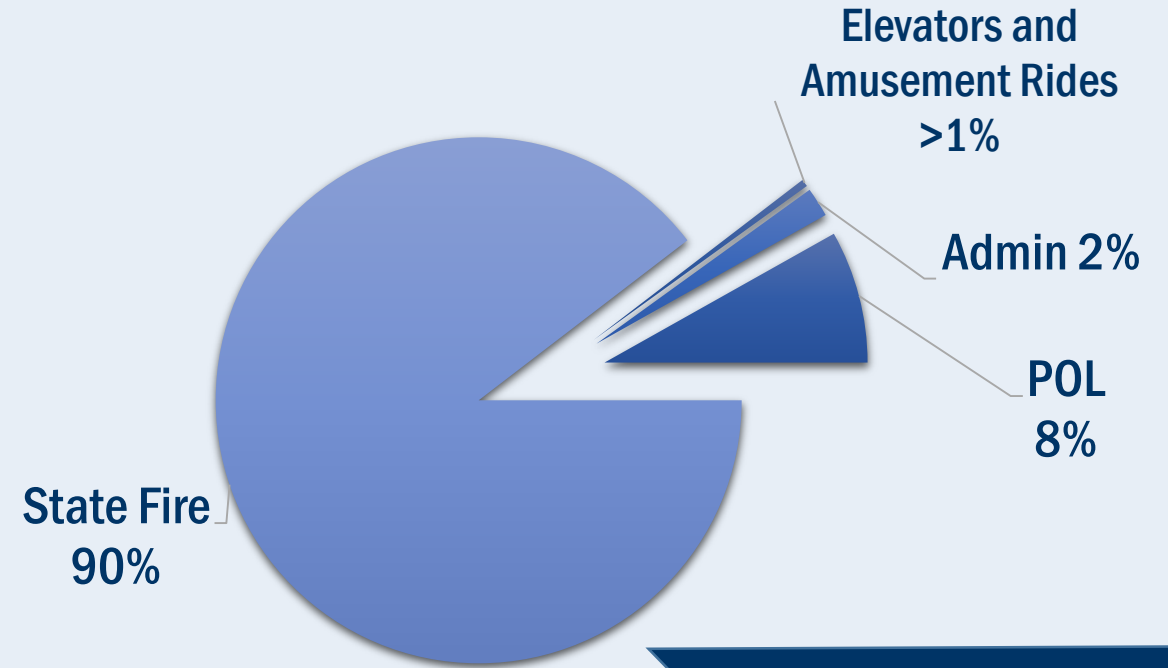


# FTEs and Temps by Program Area

## FTEs



## Temps (State & Contract)



**Total - 221**

**Total - 436**

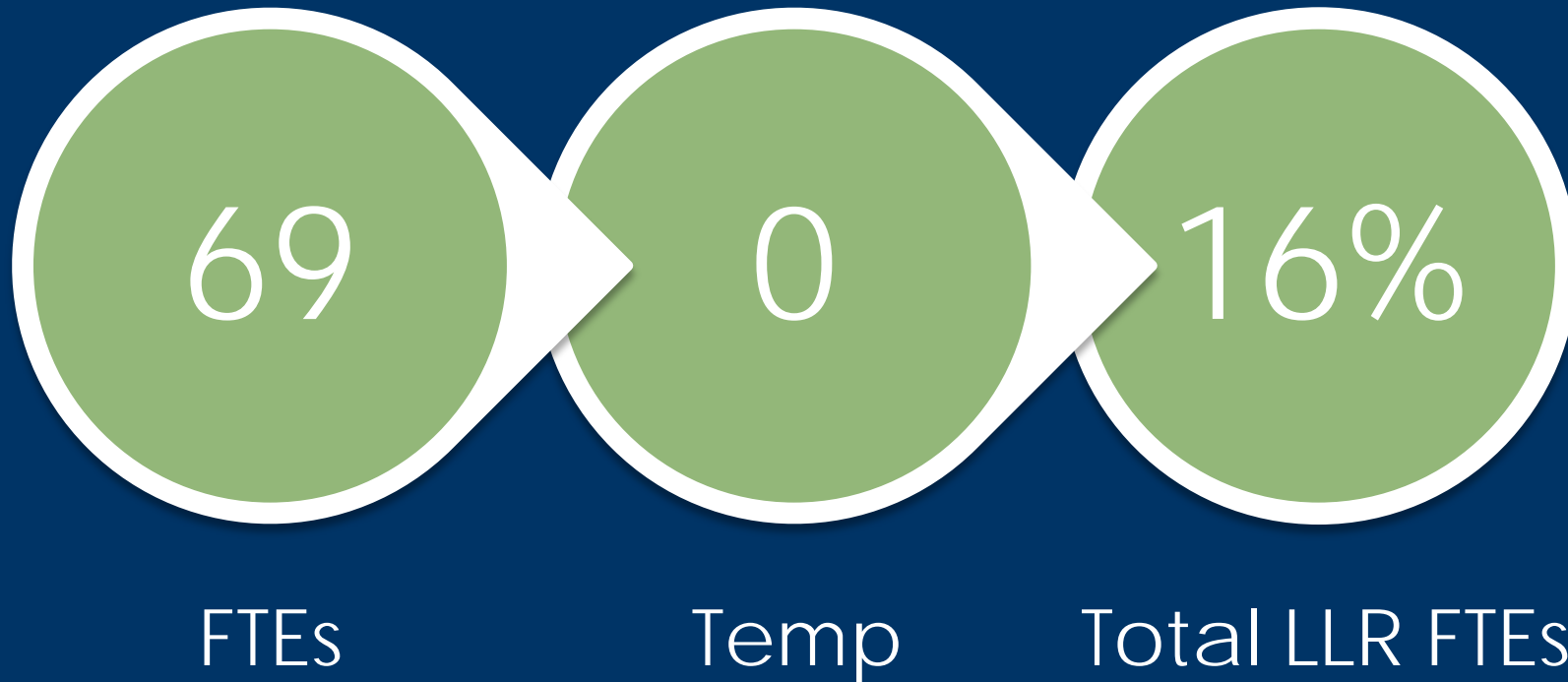
# Labor Programs

Division of Occupational Safety  
and Health Administration  
(SC OSHA)

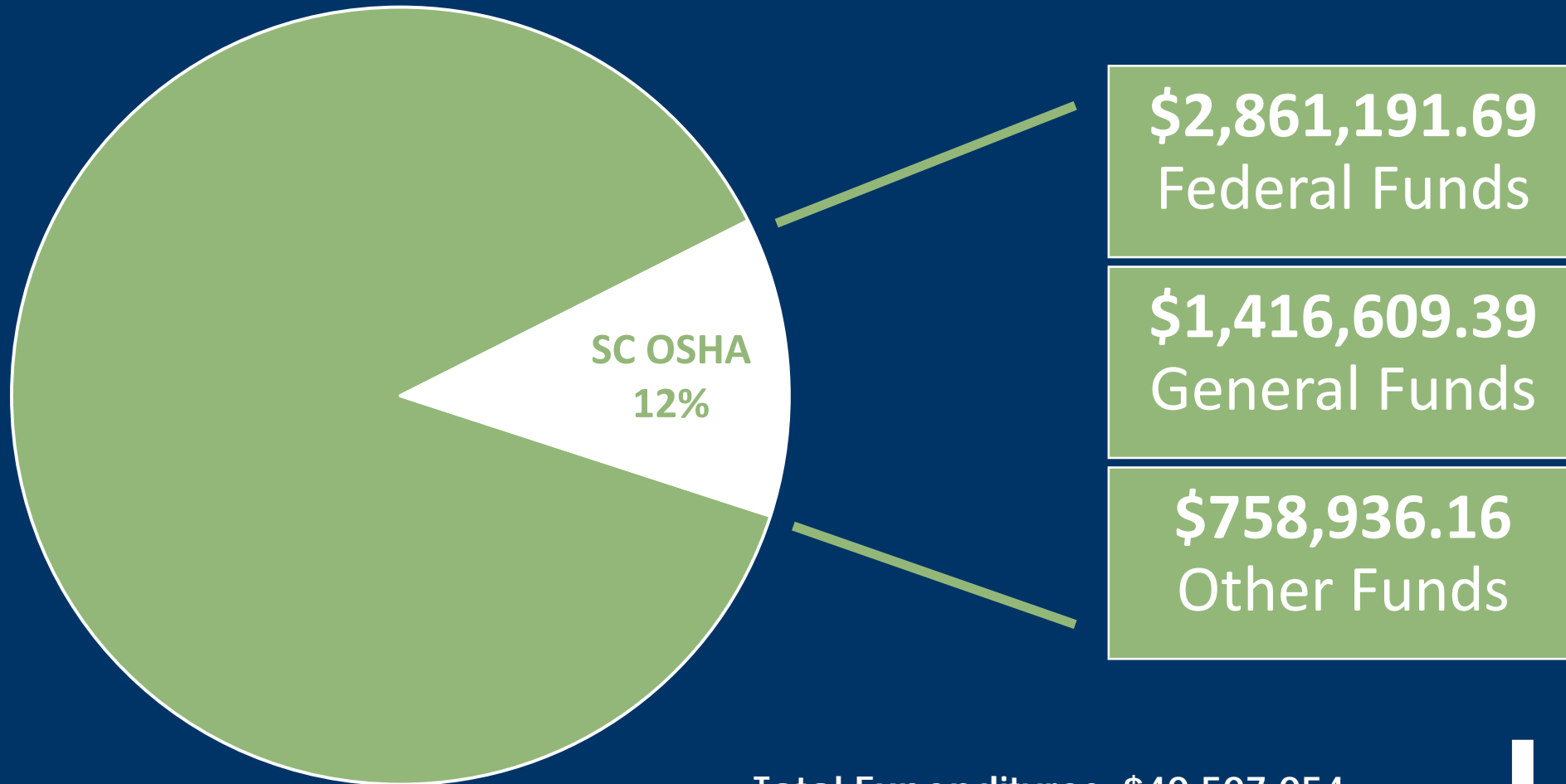
Wages/Child Labor Enforcement

**Presenter:** Kristina Baker – Deputy Director

# SC OSHA Employees



# SC OSHA Expenditures



Total Expenditures: \$40,507,054



# Wages and Child Labor Enforcement Employees

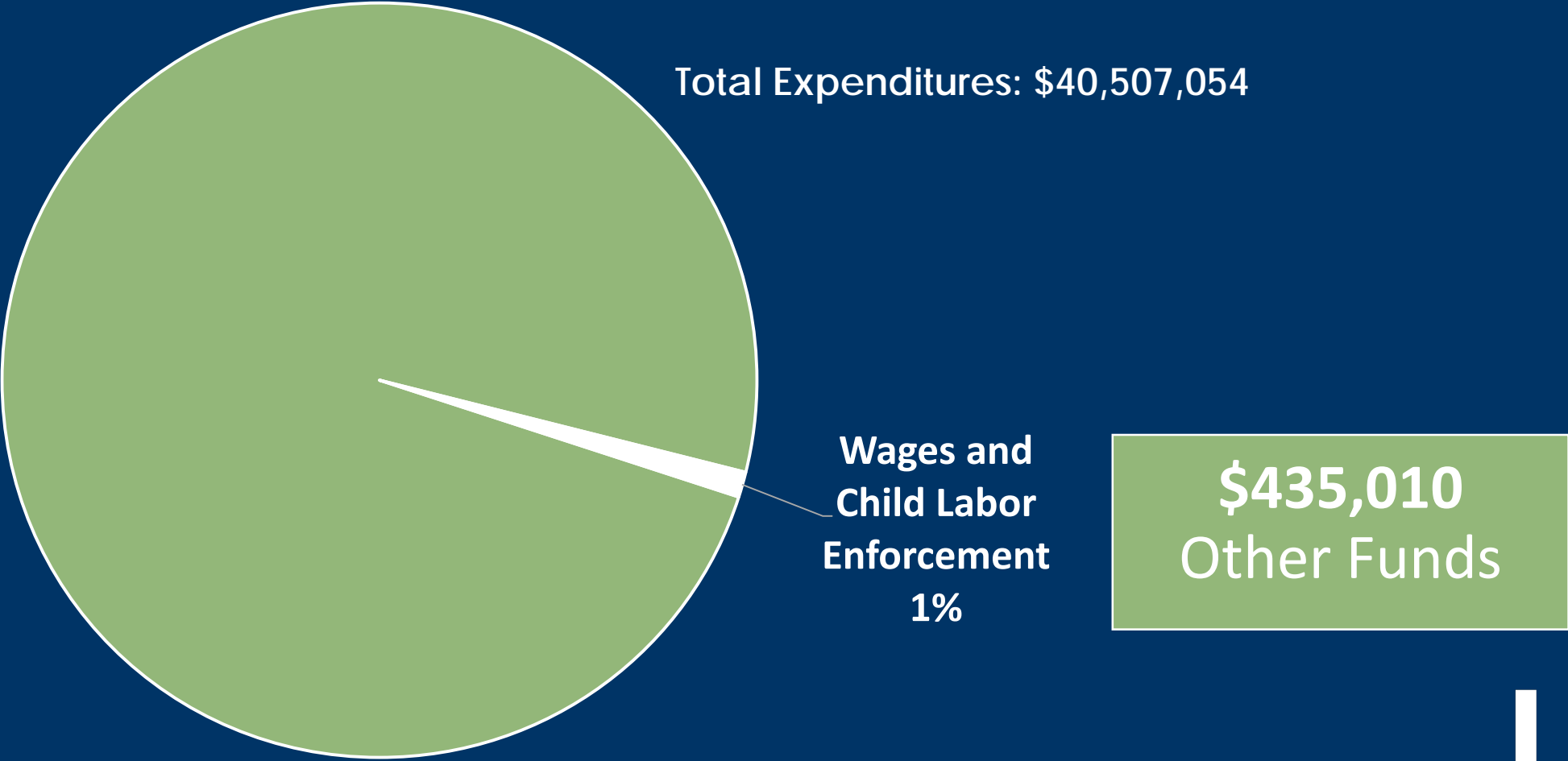


FTEs

Temp

Total LLR FTEs

# Wages and Child Labor Enforcement Expenditures



# Division of SC OSHA

## GOAL

*Improve and protect the safety and health of South Carolina workers while ensuring employers' compliance with state law*

Administration

Legal

Compliance

Outreach & Education

# Laws Governing SC OSHA

- SC Code of Laws - Title 41. Labor and Employment, Chapter 15 – Occupational Safety and Health
- SC Code of Regulations, Chapter 71 – Department of Labor, Licensing and Regulation – Division of Labor, Article 1 - Occupational Safety and Health
- 29 CFR 1910 – Occupational Safety and Health Standards (General Industry)
- 29 CFR 1926 – Occupational Safety and Health Standards (Construction)
- 29 CFR 1928 – Occupational Safety and Health Standards (Agriculture)
- 29 U.S.C. § 2 – Collection, Collation and Reports of Labor Statistics

# Agency Partners



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# Private Partners - VPP

AnMed Health Medical Center	GE Healthcare	Milliken & Company Cushman Plant	Milliken & Company Magnolia Plant	Performance Pipe, a division of Chevron Phillips Chemical Co., LP -- Startex Plant
Ascend Performance Materials	Glen Raven Custom Fabrics, LLC. – Anderson Plant	Milliken & Company Dewey Plant	Milliken & Company McCormick Plant	Sage Automotive Interiors Abbeville Plant
BAE Systems	Graphics Packaging International (formerly IP Prosperity Extrusion Operations)	Milliken & Company Enterprise Plant	Milliken & Company Pendleton Plant	Sage Automotive Interiors -- Cotton Blossom Plant
Robert Bosch, LLC – Anderson Plant	Honeywell - Aerospace AMOC	Milliken & Company Gerrish Plant	Milliken & Company Roger Milliken Center	Sage Automotive Interiors Gayley Plant
Robert Bosch, LLC – Charleston Plant	International Paper Santee Woodyard	Milliken & Company Gillespie Plant	Milliken & Company Sycamore Transportation/Distribution Center	Sage Automotive Interiors Sharon Plant
Bridgestone Americas Tire Operations	Koppers Performance Chemicals	Milliken & Company Gilliland Plant	Milliken Packaging & Coating Corp. White Stone Plant	SI Group
CompX National	Milliken & Company Allen Plant	Milliken & Company Hillcrest Plant	Nucor Building Systems	Solvay Specialty Polymers
GE Aviation, Greenville Airfoils Facility	Milliken & Company Cedar Hill Plant	Milliken & Company Johnston Plant	Nucor Steel Berkeley	

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**Administration:** Develop, implement and facilitate programming that will aid in the improvement and protection of worker safety and health throughout the State.

2,097

Number of phone calls & emails responded to for compliance assistance

2.5

Injury/illness rate (private employees)

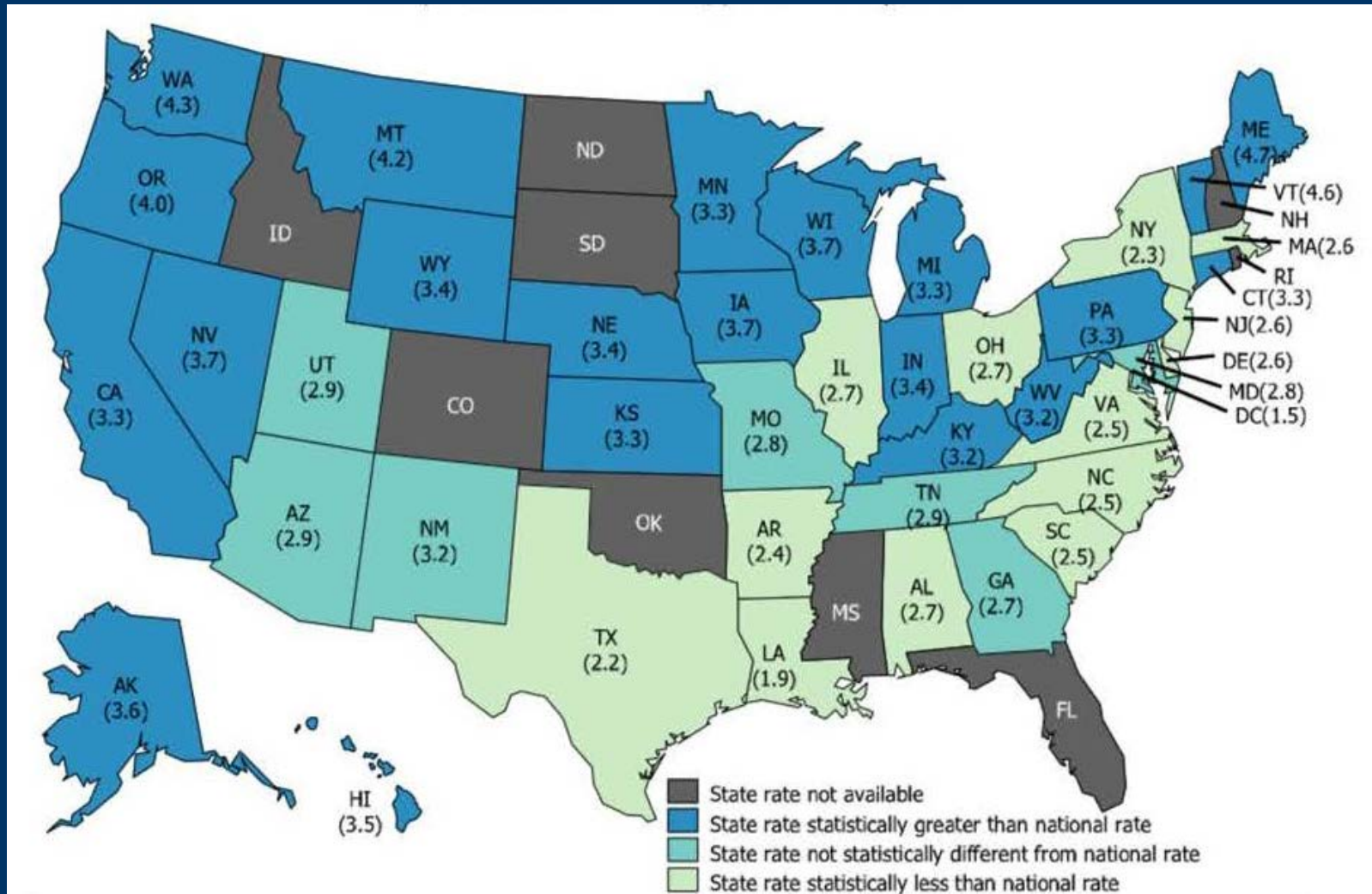
4.4

Injury/illness rate (public employees)

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# National Injury/illness Rates

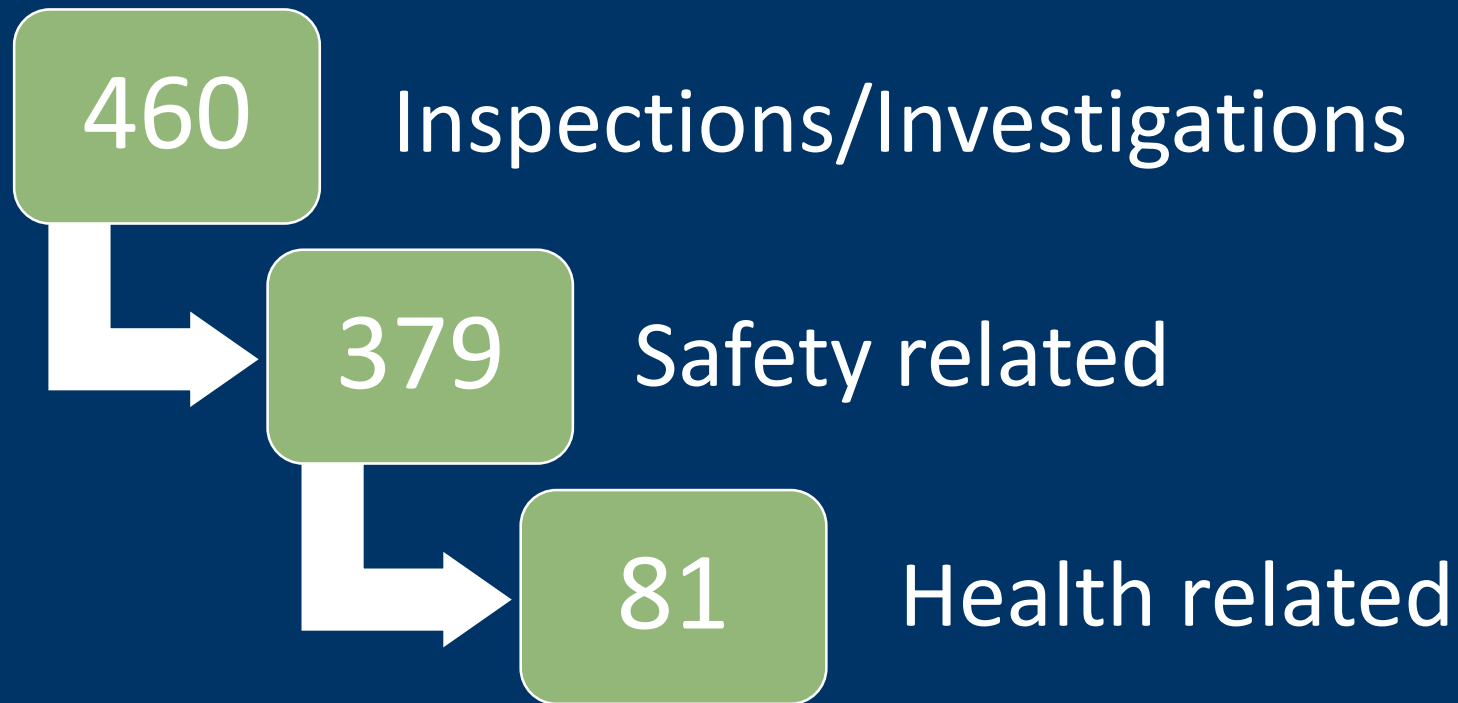


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**Compliance:** Implement and enforce OSHA standards throughout the State to ensure that South Carolina workers are safe at work.



**Outreach and Education:** Train and educate South Carolina workforce and employers with respect to OSHA health and safety guidelines and standards.

870

Consultation visits with 2,958 hazards identified and eliminated

268

Training classes

867

High school students trained

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**Legal:** Provide legal support and guidance to all labor programs within the agency to aid in the continued safety, health and legal compliance of South Carolina workers.

113

Informal conferences

27

Contested cases

79

Whistleblower cases resolved

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# Law Change Recommendations

- § 41-15-220 – Amend to allow for publication in newspapers with electronic circulation to enhance accessibility for the public and employers.
- § 41-15-260 – Amend to provide a compliance mechanism for warrant process and sanctions for non-compliance.
- § 41-15-270 – Amend to provide a compliance mechanism for subpoena process and sanctions for non-compliance.

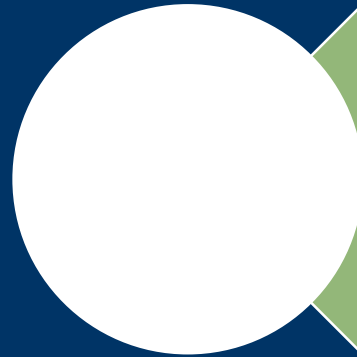
# Law Change Recommendations

- § 41-15-280 – Amend to clarify that the citation will be issued with the penalty, and provide the agency discretion to stay the deadline under certain circumstances.
- § 41-15-300 – Repeal to reduce redundancy and streamline statutory provisions.
- § 41-15-520 – Amend to clarify the actions taken upon receipt of a public employee complaint.

# Wages and Child Labor Enforcement

## GOAL

*Improve and protect the safety and health of South Carolina workers while ensuring employers' compliance with state law*



*Ensure lawful treatment of employees under state law by investigating complaints alleging violations of the Payment of Wages Act and Child Labor Laws*

*Advice and training provided by OSHA Legal: Novel issues, Policy changes, Law changes*

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# Law Change Recommendations

- § 41-13-25 (Child Labor) – Clarify penalty options for first offenders.
- § 41-10-30 (Wages) – Provide alternative means of employee access to wage statements (i.e. use of current technology).
- § 41-10-40 (Wages) – Revise method of payment to allow inclusion of different forms of payment.
- § 41-10-80 (Wages) – Revise penalties to enhance compliance mechanisms for violations.

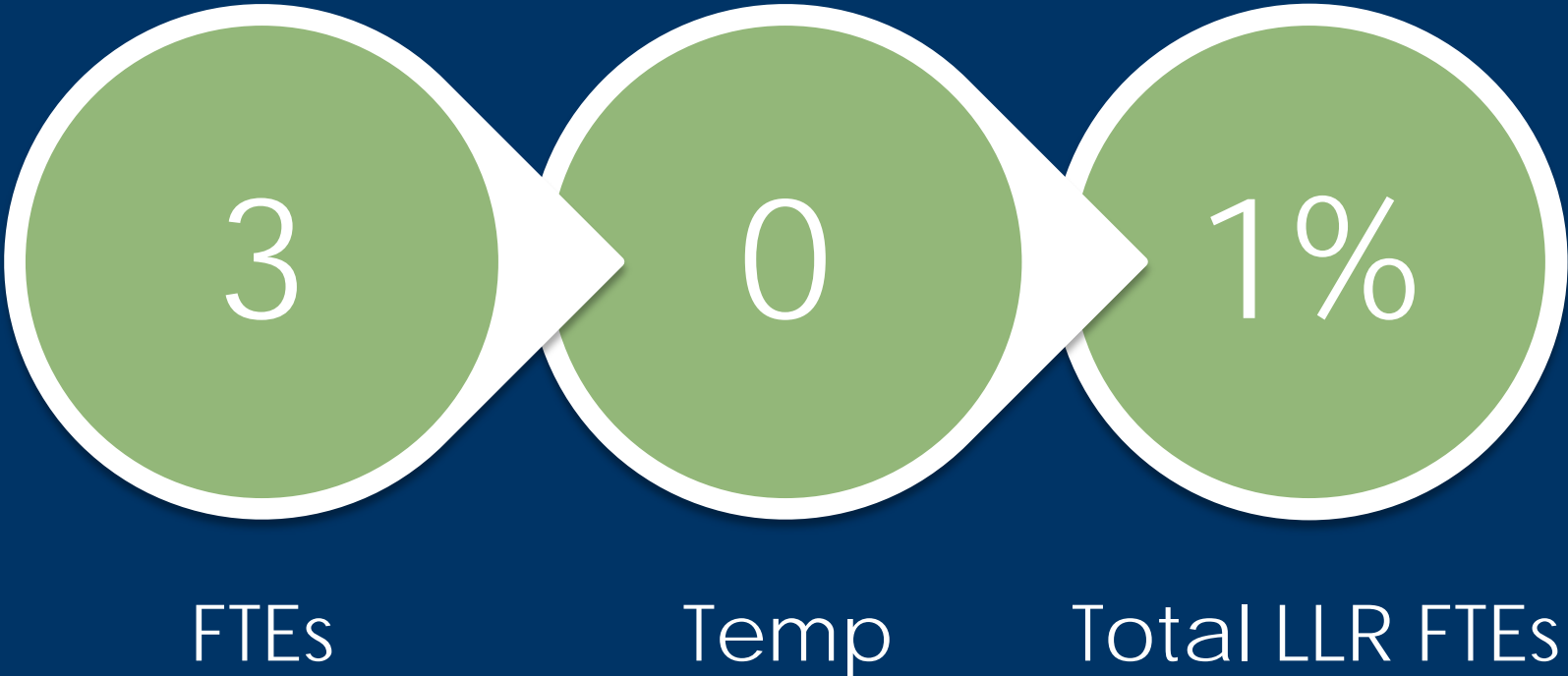
# Labor Programs

## Office of Immigration Compliance

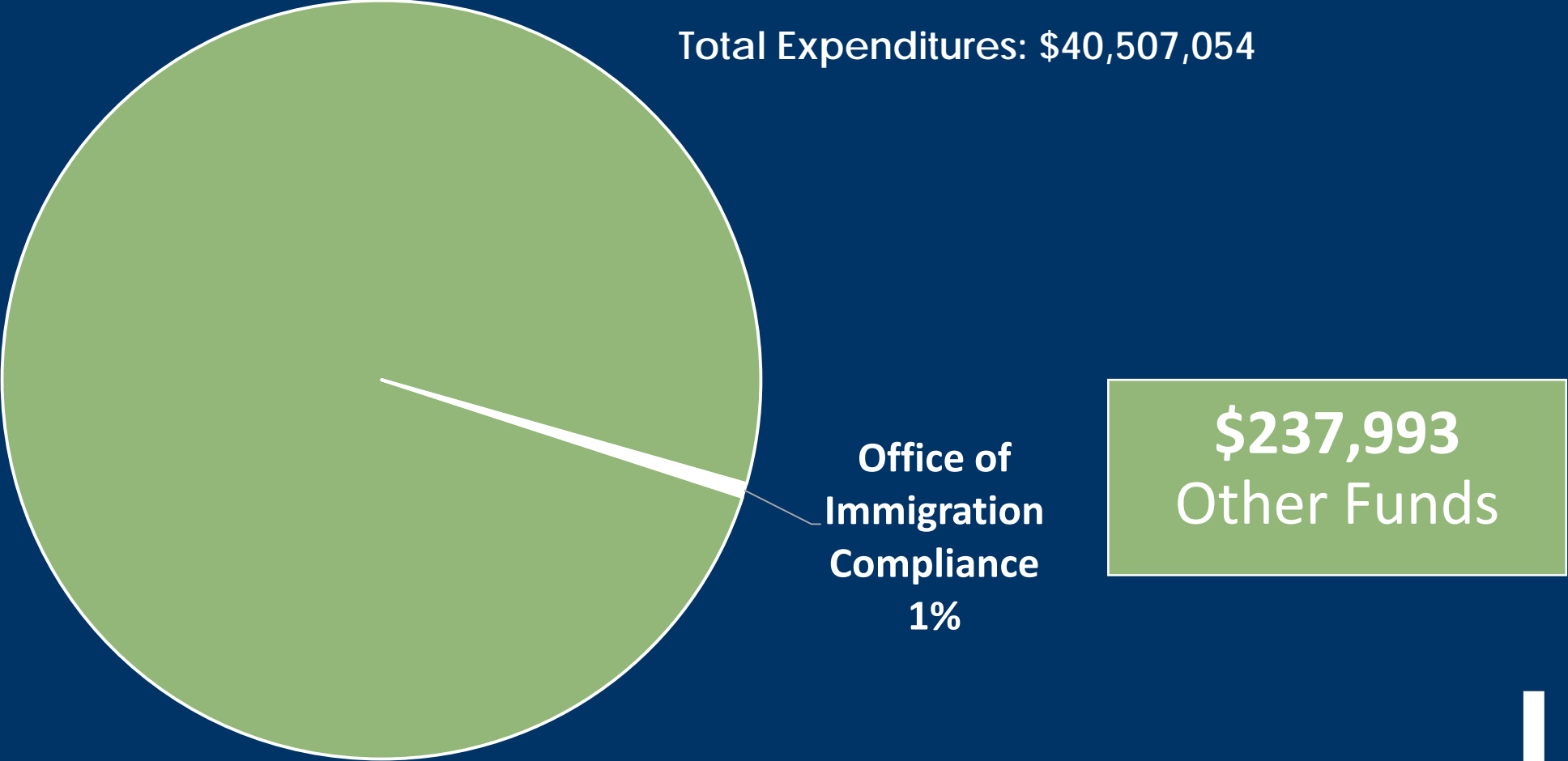
**Presenter:** Jim Knight – Deputy Director



# Office of Immigration Compliance Employees



# Office of Immigration Compliance Expenditures



# Office of Immigration Compliance

## GOAL

*Improve and protect the safety and health of South Carolina workers while ensuring employers' compliance with state law*

*E-Verify Audits*

*Immigration Assistance Service  
Licensure*

*Verification of Lawful Presence of  
Professional/Occupational License  
Applicants through SAVE*

# Laws Governing Immigration Compliance

- Illegal Aliens and Private Employment Act – S.C. Code Ann. Sections 41-8-10 to -140.
- Registration of Immigration Assistance Service Act – S.C. Code Ann. Sections 40-83-10 to -30.
- Verification of Lawful Presence in the United States Act – S.C. Code Ann. Section 8-29-10.

# Ensure South Carolina Employers' Lawful Compliance with State Immigration Law

1,594

Number of Aliens Verified through SAVE in FY 2018

3,034

Number of E-Verify Audits Conducted in FY 2018

# Ensure South Carolina Employers' Lawful Compliance with State Immigration Law

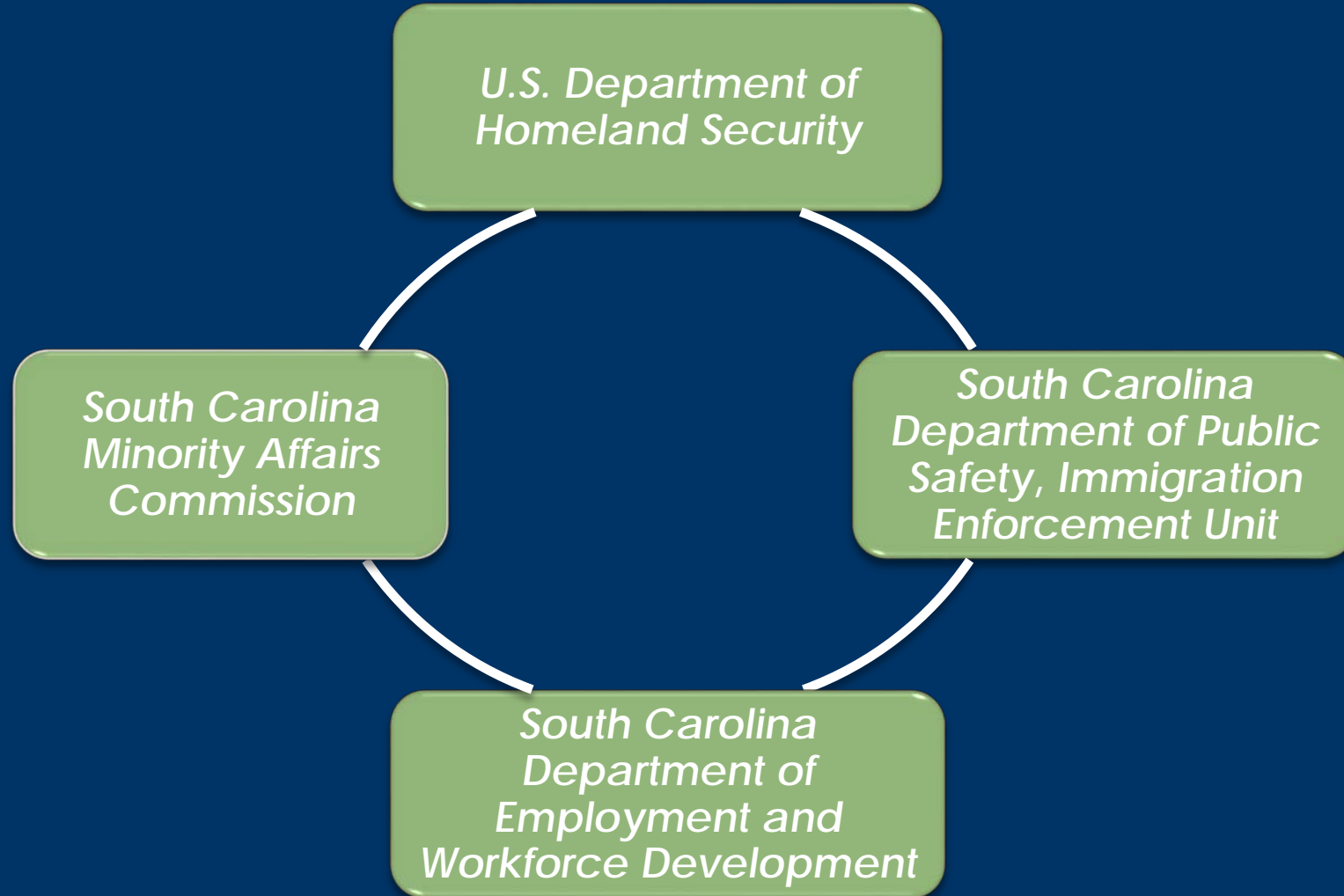
87%

Percentage of Employers E-Verifying New Hires

24

Number of Registered Immigration Assistance Providers

# Agency Partners



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# Office of Elevators and Amusement Rides

**Presenter:** Jim Knight – Deputy Director



# Office of Elevators and Amusement Rides Employees



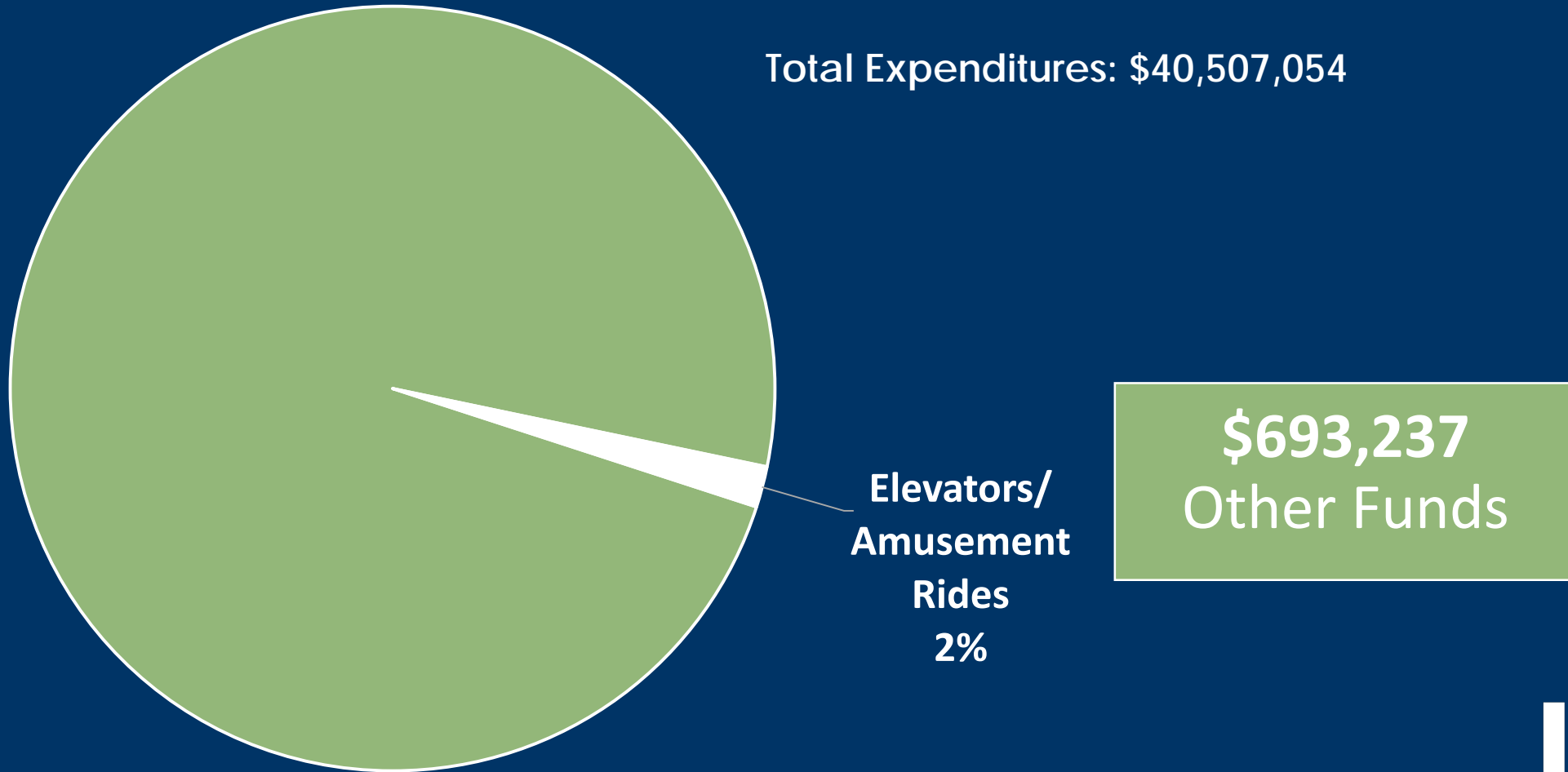
FTEs

Temp

Total LLR FTEs

# Office of Elevators and Amusement Rides Expenditures

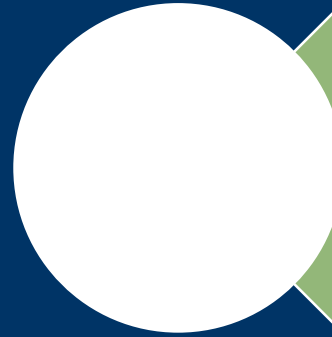
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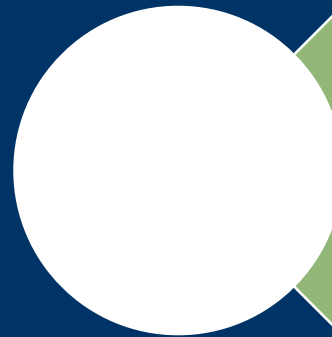
# Office of Elevators and Amusement Rides

## GOAL

*Protect the riding public and industry personnel in the enjoyment and use of public amusement ride devices and elevators in South Carolina*



*Elevator  
Inspections and  
Permitting*



*Amusement Rides  
Inspections and  
Permitting*

# Laws Governing Office of Elevators and Amusement Rides

- South Carolina Elevator Code – S.C. Code Ann. Sections 41-16-10 to -180.
- South Carolina Amusement Rides Safety Code – S.C. Code Ann. Sections 41-18-10 to -170; 41-18-300 to -360.
- Bungee Jumping Act – S.C. Code Ann. Sections 52-19-10 to -380.

# Provide Oversight of the State's Elevator and Amusement Ride Safety Programs

14,023

Number of elevators registered in FY 2018

575

Number of permits issued for alteration/installation of elevators in FY 2018

135

Number of audits of special inspectors' elevator inspections conducted in FY 2018

# Provide Oversight of the State's Elevator and Amusement Ride Safety Programs

678

Total number of amusement rides inspected in FY 2018

667

Total number of amusement rides permitted in FY 2018

539

Number of audits conducted of special inspectors' amusement ride inspections in FY 2018

# Law Change Recommendations

## Section 41-18-40 Definitions

- Provides definitions applicable to the South Carolina Amusement Rides Safety Code.
- The statute does not define “Open to the public.”