

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

Fiscal Year 2018–2019 Accountability Report

SUBMISSION FORM

AGENCY MISSION	<p>The mission of the South Carolina Human Affairs Commission is to eliminate and prevent unlawful discrimination in: employment on the basis of race, color, national origin, religion, sex, age, and disability; housing on the basis of race, color, national origin, religion, sex, familial status and disability; and public accommodations on the basis of race, color, national origin, and religion thereby promoting harmony and the betterment of human affairs for all citizens.</p>
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AGENCY VISION	<p>The South Carolina Human Affairs Commission’s vision is to be well known with a positive image and a mission that is understood and accepted by the public. SCHAC is a fully resourced, customer-friendly agency with a diverse, well-trained and efficient team working together effectively in a safe and supportive work environment in fulfillment of the Agency’s mission.</p>
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Does the agency have any major or minor recommendations (internal or external) that would allow the agency to operate more effectively and efficiently?

	Yes	No
RESTRUCTURING RECOMMENDATIONS:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Is the agency in compliance with S.C. Code Ann. § 2-1-230, which requires submission of certain reports to the Legislative Services Agency for publication online and the State Library? See also S.C. Code Ann. § 60-2-30.

	Yes	No
REPORT SUBMISSION COMPLIANCE:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

Is the agency in compliance with various requirements to transfer its records, including electronic ones, to the Department of Archives and History? See the Public Records Act (S.C. Code Ann. § 30-1-10 through 30-1-180) and the South Carolina Uniform Electronic Transactions Act (S.C. Code Ann. § 26-6-10 through 26-10-210).

	Yes	No
RECORDS MANAGEMENT COMPLIANCE:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

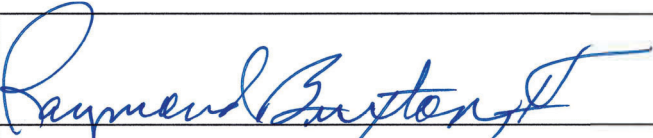
Is the agency in compliance with S.C. Code Ann. § 1-23-120(J), which requires an agency to conduct a formal review of its regulations every five years?


	Yes	No
REGULATION REVIEW:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please identify your agency's preferred contacts for this year's accountability report.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Stephani Frese	803-737-7805	sfrese@schac.sc.gov
SECONDARY CONTACT:	Christina Jordan	803-737-7804	cjordan@schac.sc.gov

I have reviewed and approved the enclosed FY 2018–2019 Accountability Report, which is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR (SIGN AND DATE):		9/12/2019
(TYPE/PRINT NAME):	Raymond Buxton, II	

BOARD/CMSN CHAIR (SIGN AND DATE):		9/13/2019
(TYPE/PRINT NAME):	John A. Oakland	

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

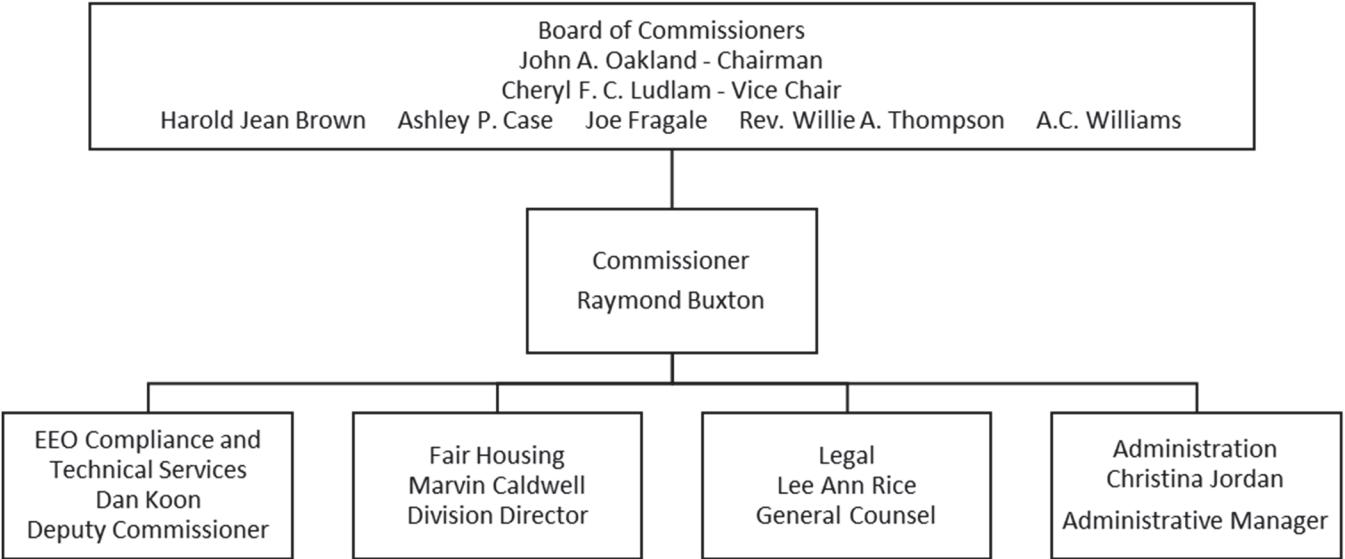
AGENCY’S DISCUSSION AND ANALYSIS

The mission of the South Carolina Human Affairs Commission (SCHAC) is to eliminate and prevent unlawful discrimination; a mission that is just as vital to the public today as when our Commission was created in 1972. SCHAC accomplishes this task through enforcement of the Human Affairs Law, the Fair Housing Law, and the Equal Enjoyment and Privileges to Public Accommodations Law. The South Carolina Human Affairs Law makes employment discrimination unlawful based upon race, color, sex, national origin, religion, age, or disability. Similarly, the South Carolina Fair Housing Law makes it unlawful to discriminate in housing and associated benefits based on race, color, sex, national origin, religion, familial status, or disability. The South Carolina Public Accommodations Law prevents discrimination in access to public facilities (e.g., restaurants, hotels, recreational parks, and other facilities) based on race, color, national origin, and religion. SCHAC also strives to meet these mission objectives using preventative methods which the law prescribes.

The Commission prevents discrimination by monitoring each State Agency’s Affirmative Action Plan and providing an Annual Report to the General Assembly, providing training to educate the private and public sector, recognizing Community Relations Councils in counties that work to promote harmony and respect among a diverse people, and providing outreach to citizens so they are aware of their rights under the law.

To fulfil the Mission and Vision of the Commission, SCHAC emphasizes the values of: Accountability, Customer Service, Fairness, Integrity, Loyalty, Professionalism, and Teamwork.

SCHAC’s management team is:



AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

Major Achievements in the Area of Compliance or Elimination of Unlawful Discrimination:

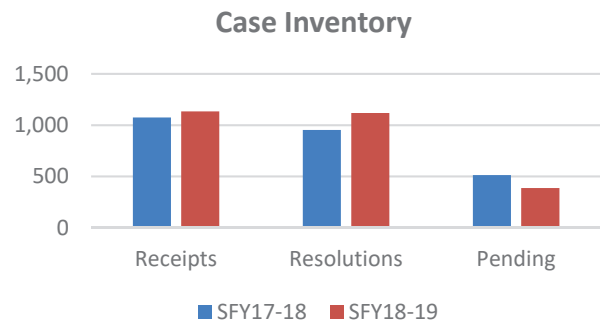
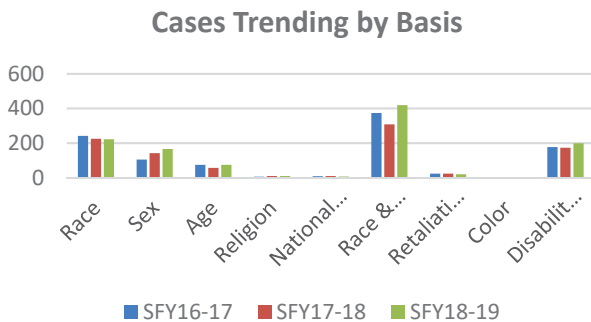
Commission compliance enforcement consists of: Equal Employment Opportunity (EEO) Intake, EEO Investigations, Fair Housing Investigations, and Legal, including Mediation/Conciliations.

1) Equal Employment Opportunity (EEO) Intake Department

During SFY18-19, the EEO Intake Department received approximately 2,084 contacts. In response, 835 questionnaires were sent to citizens desiring to file a discrimination charge; 1,243 questionnaires were returned; 758 formal charges of discrimination were filed as a result of the returned questionnaires; 641 charges of discrimination were retained by the Commission for investigation; and, 117 charges were waived to other agencies for investigation primarily due to lack of jurisdiction; additionally the EEOC waived 375 cases to SCHAC.

2) EEO Enforcement Investigations

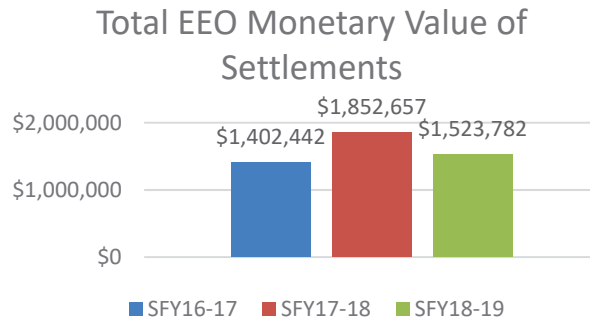
During SFY18-19, a total of 1,133 employment discrimination complaints were received for investigation from the Intake Department or transferred to SCHAC from the US Equal Employment Opportunity Commission (EEOC). This resulted in 1,117 final actions taken by the Commission. Of those final actions: 222 were based on race; 166 were based on sex; 199 were based on disability; 74 were based on age; 10 were based on religion; 7 were based on national origin; 20 were based on retaliation; 0 were based upon color; and, 419 were based on multiple bases (e.g., race, sex, and retaliation, or religion and national origin). The number of final actions or closures from the previous year increased by 165 and the pending inventory decreased by 126 cases.



	SFY16-17	SFY17-18	SFY18-19
Race	242	225	222
Sex	105	142	166
Age	74	57	74
Religion	6	10	10
National Origin	9	10	7
Race & Sex/Multiple	374	308	419
Retaliation	24	24	20
Color	1	3	0
Disability/ADA	177	173	199

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

Final actions or closures issued by the Commission during SFY18-19 are: 193 Administrative Closures (including 14 Potential Cause Determinations forwarded to the EEOC for additional processing); 780 No Cause Determinations; and, 144 Conciliations/Settlements. The total monetary value of settlements achieved for the charging parties was \$1,523,782.



During Federal fiscal year ending September 30, 2018, the Commission successfully completed a contract with the EEOC for investigating 862 cases.

3) Fair Housing Investigations

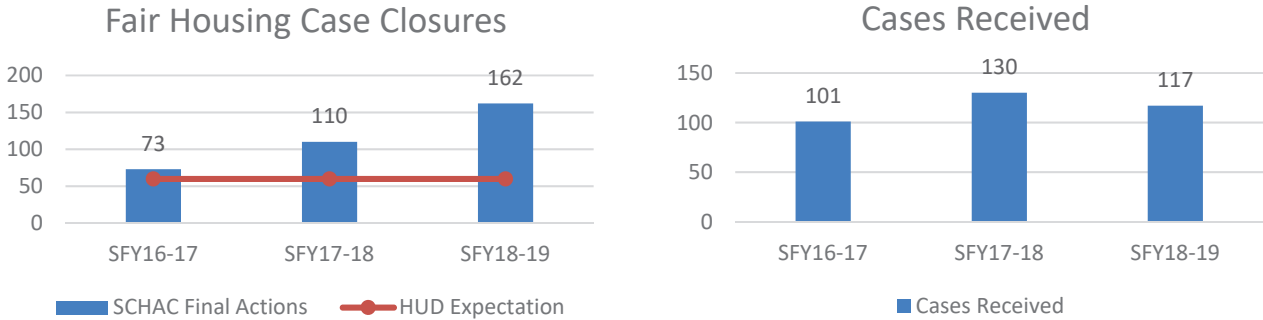
The Fair Housing Department prevents discrimination through education and outreach to communities around the State and investigates complaints of housing discrimination on the basis race, color, sex, religion, national origin, disability, and familial status. To resolve these complaints, the Fair Housing Department may mediate or conciliate cases on behalf of the complainant and the respondent. If the respondent has violated the Fair Housing Law, the Commission’s Legal Department must litigate a case in court or hold an administrative hearing on behalf of the aggrieved complainant.

The Fair Housing Department works with the United States Housing & Urban Development (HUD). Performance standards for the Fair Housing Assistance Program (FHAP) require agencies to process a "reasonable number" of complaints. Specifically, 24 C.F.R. § 115.206(e)(7) states: “The agency must demonstrate that it receives and processes a reasonable number of complaints cognizable under both the federal Fair Housing Act and the agency's fair housing statute or ordinance. The reasonable number will be determined by HUD based on all relevant circumstances including, but not limited to, the population of the jurisdiction that the agency serves, the length of time that the agency has participated in the FAP, and the number of complaints that the agency has received and processed in the past.” Due to South Carolina’s population, HUD’s expectation is that the Commission will close 60 cases per year.

During SFY18-19, the Fair Housing Department completed 162 cases, surpassing 110 and 73 cases respectively during prior two fiscal years. Investigation revenue is estimated to be \$613,695, exceeding \$477,647 and \$336,225 respectively during prior two fiscal years. The Fair Housing Department closed 30% of the cases within 100 days. Of the cases that aged over 100 days, 33% of those cases were successfully conciliated or settled. As a result of these successes, HUD has

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

renewed the Memorandum of Understanding with the Commission. This is the second time in the Commission’s history that over 100 Housing cases have been closed during the State fiscal year.



4) Legal, including Mediation/Conciliations

Mediations are important because they give the charging party and the respondent an opportunity to resolve their issues and come to mutually agreed terms in settling the matter without court involvement. Out of 138 mediations, 73 complaints were successfully mediated for a total of \$506,261 during SFY18-19. Although there was a \$45,129 decrease from the previous year, successful mediations increased from 53 cases the previous year.

Major Achievements in the Area of Prevention or Consultative Services:

The Departments of Technical Service, Training and Community Relations accomplished the following:

1) Technical Services

The Commission successfully monitored the hiring and promotions of employees in 90 State agencies, and on February 1, 2019, issued the “Annual Report to the General Assembly on the Status of Equal Employment Opportunity in South Carolina State Government”. The Commission uses the Computerized Affirmative Action Management System (CAAMS) to evaluate employment data provided by each State agency in the monitoring of their recruitment, hiring, and promotion practices. CAAMS assesses statistical data provided, creates affirmative action plans (AAP), and reports on each State agency’s goal attainment in employment. Affirmative Action Plans and programs are used to eliminate preferences, not to create them. If followed, the AAP becomes the guide for a program that should result in fair employment for all people based on race and sex, including white males.

In the last year, 2 agencies achieved exempt status, granted when agencies employ minorities and women at all levels of their workforces, at a rate that would reasonably be expected based on their availability in the labor force and 10 agencies brought their goal attainment up by 5% or more. These agencies, and the agencies who made the top 10 in their goal attainment, were recognized at the 2019 EEO Forum, where Agency heads and their EEO officers heard from guest speakers addressing best practices for affirmative action and innovative retention.

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

2) **Training**

Another important way to prevent and eliminate discrimination is through training. This past year there were 49 separate EEO training classes conducted for 17 State agencies and 3 county government/other agencies by the Technical Services Department. Prevention is achieved by educating State employees and Human Resource personnel about EEO Laws and professionalism in the workplace. Approximately 3,552 employees were trained in these areas during the past fiscal year. During SFY18-19, training was updated to include additional disability information and the 2018 Pregnancy Accommodations Act. This state fiscal year, SCHAC saw an increase in agencies requesting training for employees to prevent claims of discrimination.

3) **Community Relations and Development**

End Racism Day - March 21 marks the commemoration of *The International Day for the Elimination of Racial Discrimination*, officially observed since 1966 by the United Nations. End Racism Day is a way to help our communities celebrate differences in others. Schools across South Carolina are encouraged to cultivate an activity to lessen hate fueled by fear. A partnership with Columbia’s Nickelodeon Theatre has developed through the showing of films with the theme of improving race relations.

Mother Emanuel Nine Day Remembrance - In the aftermath of the horrific shooting in 2015, the SC General Assembly passed a Concurrent Resolution declaring June 17th as “Mother Emanuel Nine Day.” As a result, SCHAC has presented the “Mother Emanuel Nine Day Remembrance” event each year during the first week in June, in Columbia, to reflect on the progress made in improving race relations and economic equality for minorities. The event, held on the campus of Allen University, is open to all State Agency Heads, EEO Officers, their staffs, and the general public. This event is held during the first week of June to not conflict with commemorations in Charleston. Allen University, the Lutheran Theological Southern Seminary and the University of South Carolina have all partnered with this Remembrance, as alumni of these institutions of higher learning were victims.

Dialogue on Race Relations – Through a partnership with the University of South Carolina’s Collaborative for Race and Reconciliation, SCHAC is taking the *No Blame, No Shame: A Conversation About Race* panel discussion to four counties each year. We hope these open, honest conversations will lead to beneficial discussions about race in communities across the state.

The Community Relations Department is responsible for administering the South Carolina Public Accommodations Law. During the last state fiscal year, 29 cases were closed under Statute 1-13-90 (e) and/or Public Accommodations Law in comparison to 27 closed during SFY17-18.

Major Achievements in Administration:

In addition to the previously mentioned reporting achievements made in EEO Enforcement, Fair Housing, Community Relations, and Technical Services & Training, additional goals, strategies, and

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

objectives obtained through the efforts of administration this past year included: the consistent use of the EPMS on an annual universal date, facilitation of team-building events to involve all departments, monthly management meetings, where there was a review of expectations and standards, increased customer awareness through press opportunities and media advertisements, partnering with three Federal agencies, and administering the following: managing the budget; facilitating cooperation with audits; determining priorities for the expenditure of funds to achieve Commission goals; and, updating Human Resource policies and procedures.

Internal and External Factors Affecting the Commission’s Performance:

The General Assembly and Governor, understanding our nation’s history of discriminatory practices, acknowledge that we must maintain a functioning State Commission whose primary mission is to prevent and eliminate discrimination. State government, the South Carolina Bar, and business leadership have recognized that the citizens of this State would prefer for issues of discrimination to be investigated at the State level as opposed to the Federal level. The Commission needs adequate funding for agency operations. As noted in discussions with the House Legislative Oversight Committee, the Commission is working to improve the retention rate of employees who are leaving the Commission for higher paying positions at larger agencies or the private sector. The financial burden of hiring and training an employee to become efficient only to lose the employee to another entity to obtain higher pay is a dilemma that the Commission is working creatively to overcome. To retain the current work force, the Commission is allowing qualified employees to be able to work from home, allowing variable and compressed schedules to allow employees to have greater work/life balance, providing financial/bonus incentives for quality work, and issuing a new policy to allow new parents to bring their infants to work for the first six months of the newborn’s life to allow bonding between parent and child (with guidelines to prevent disruption for co-workers), reduce daycare costs, and encourages employees to remain employed with the Commission. While these employee retention initiatives help employees at the Commission, leadership is working to increase salaries to remain competitive with other State agencies. Services the Commission provides to citizens of this State are essential. For the Commission to perform at an exceptional level of service, it must maintain quality employees.

Restructuring Recommendations:

Without the prevention and elimination of discrimination, South Carolina could face the social unrest seen in other states, leading to demonstrations and violence, and negatively impacting business and law enforcement agencies. The Commission receives funding from State government, the EEOC, and HUD. Should this funding be cut, layoffs and furloughs would limit SCHAC’s ability to work effectively. If SCHAC enforcement of fair housing and employment discrimination laws does not continue to operate effectively, the SC Courts system will have more cases filed in court and businesses will spend more time and money on those court cases.

No other State agencies or private entities investigate housing and employment discrimination in South Carolina. While Federal agencies are available to enforce housing and employment discrimination laws, SCHAC works directly on behalf of South Carolina. Historically, political and

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

business leaders of South Carolina have preferred to limit Federal involvement in State affairs. Without the efforts of SCHAC, businesses and South Carolina citizens would be working with Federal authorities.

The General Assembly should follow the recommendations of the agency’s recent Legislative Oversight Committee Report and authorize the agency to promulgate a regulation outlining relief that may be awarded by an agency panel for public accommodations discrimination, as well as refine the Equal Enjoyment and Privileges to Public Accommodations Law to protect against discrimination on other bases by amending S.C. Code § 45-9-10(A). Finally, the General Assembly should empower SCHAC to investigate charges of public accommodations discrimination by amending S.C. Code § 45-9-40 and §45-9-80. For the full recommendation of the Legislative Oversight Committee, please see the Study of the Human Affairs Commission

(https://scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/HumanAffairsCommission/Full_Committee_Study-SCHAC.PDF, page 7).

Based on the 2018 Legislative Oversight Committee’s recommendation, amend S.C. Code § 1-13-90(d)(6) to provide a complainant adequate opportunity to file a civil suit following a SCHAC investigation. For the full recommendation of the Legislative Oversight Committee, please see the Study of the Human Affairs Commission

(https://scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/HumanAffairsCommission/Full_Committee_Study-SCHAC.PDF, page 8).

The General Assembly should amend S.C. Code Ann. § 31-21-140(A) to increase clarity so the Commission will know if it should file suit in State courts after a year from the date of alleged violation (if the charging party or respondent elect for a suit instead of an Administrative Hearing), and to be consistent with the Fair Housing Act.

Risk Assessment and Mitigation Strategies:

Other risks the Commission encounters related to the effectiveness of operations are the retention of employees due to inadequate pay and improvements needed to our building.

The need for additional State funds to increase employee salaries is essential. In the past fiscal year, the Commission has seen a turnover rate of 20%. Exit interviews have shown that the primary reason employees are choosing other positions is due to their salary requirements not being met. Some employees are receiving salary offers in excess of \$10,000 above their SCHAC salary. Should the Commission continue to lose trained employees at this rate, we will be unable to efficiently process cases, thereby prolonging resolution of complaints.

The building the Commission is housed in is inadequate in terms of space for the number of employees needed to effectively perform the Commission’s legal mandates. It is estimated that 80% of the staff works in spaces less than the State requirement of 210 square feet. While this historic building was renovated in 2013 to move Commission employees from a private facility to a State-owned facility, it

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	70

lacks adequate insulation, is susceptible to water leaks, and is infested with bees. Damage to records and technology could negatively affect the Commission’s performance.

Despite various internal and external factors that adversely impact Commission operations, during this past fiscal year the dedicated Commission staff was able to successfully complete the EEOC contract, the HUD contract, monitor each State agency’s hiring and promotion practices, and provide training to a significant number of people regarding how to prevent and eliminate discrimination. While the Commission has accomplished various successes, the Commission must also prepare to deal with situations within the State where social and civil unrest could erupt at any given moment.

Unfortunately, South Carolina, like other parts of the country, is not immune to tragic incidents of racism or other forms of discrimination. As a result, the Commission continues the “Quality of Life Initiative”, an approach to train communities to enhance dialogue and promote respect and civility as a primary focus of communication. This is in keeping with the vision of the Governor and General Assembly when SCHAC was established.

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

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019

Accountability Report

Agency Code: L360 Section: 70

Strategic Planning and Performance Measurement Template

Statewide Enterprise Strategic Objective	Type	Item #			Description	2018-19			Time Applicable	Data Source and Availability	Calculation Method	Meaningful Use of Measure
		Goal	Strategy	Measure		Base	Target	Actual				
Government and Citizens	G	1			Prevent and Eliminate Employee Discrimination							
	S	1.1			Implement a process of hiring and training Employment Investigators							
	M		1.1.1	Training - Internal: Provide nine (9) training sessions related to Employment Law for 14 employment investigators in 2018-2019	13	9	12	7/1/2018 - 6/30/2019	SCHAC Activity Report	Count	Provides data to show employees are being properly trained in the area of law, which they enforce.	
	M		1.1.2	Training - Internal: Continue a workplace mentoring program for EEO Investigators/employees during FY 2018-2019	14	14	14	7/1/2018 - 6/30/2019	SCHAC Activity Report	Count and EPMS	Provides data to show employees are being properly trained in the area of law, which they enforce.	
	S	1.2			Maintain a reliable and measurable tracking system for the time it							
	M		1.2.1	Ensure the average processing time for a case of discrimination to close is 218 days	225	218	221	7/1/2018 - 6/30/2019	EEOC Resolution Report	IMS	Provides data to ensure timely resolution rates.	
	M		1.2.2	Ensure the average time for a case of discrimination to close is 128 days from the date of assignment to Investigator to date of closing	132	128	128	7/1/2018 - 6/30/2019	EEOC Resolution Report	IMS	Provides data to ensure timely resolution rates.	
Government and Citizens	G	2			Prevent and Eliminate Housing Discrimination							
	S	2.1			Enhance the awareness of the Housing Division to include the							
	M		2.1.1	Continue the Fair Housing Outreach Plan during FY 2018-2019	1	1	1	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Status of Fair Housing Complaint Activity Report	Determine if outreach program is effective based on number of cases filed.	
	S	2.2			Implement an efficient processing system for Housing discrimination							
	M		2.2.1	Process 50% of all Housing cases within 100 days during FY 2018-2019	35%	50%	30%	7/1/2018 - 6/30/2019	Status of Fair Housing Complaint Activity Report	Percentage of cases under 100 days	Provide Data to ensure timely resolution of cases.	
	M		2.2.2	Conduct onsite investigations for all cases identified as problematic cases during FY 2018-2019	100%	100%	100%	7/1/2018 - 6/30/2019	Status of Fair Housing Complaint Activity Report	Percentage of problematic cases where onsite performed	Provide information to ensure cases are being investigated thoroughly.	
	M		2.2.3	Complete the investigation of 100 Housing cases during FY 2018-2019	110	100	162	7/1/2017- 6/30/2018	Status of Fair Housing Complaint Activity Report	Count	Provides data on Housing cases.	
Government and Citizens	G	3			Educate citizens about the use of legal remedies to achieve justice and							
	S	3.1			Empower the Legal and Mediation Departments with authority as							
	M		3.1.1	Litigate probable cause cases that cannot be conciliated in the Fair Housing Division during FY 2018-2019	100%	100%	100%	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Legal Division Activities Report	Provides data on Legal Activities	
	M		3.1.2	Hold administrative hearings as necessary for Employment or Housing cases during FY 2018-2019	100%	100%	100%	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Legal Division Activities Report	Provides data on Legal Activities	
	M		3.1.3	Successfully mediate assigned cases at the level of 50% during FY 2018-2019	60.20%	50%	53%	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Legal Division Activities Report	Provides data on Legal Activities	
	S	3.2			Promote legislation to update and standardize the laws and							
	M		3.2.1	Continue to engage and educate members of the General Assembly in proposed changes to existing laws during FY 2018-2019	100%	100%	100%	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Legal Division Activities Report	Provides data on Legal Activities	
Public Infrastructure and Economic Development	G	4			Foster Culturally Sensitive and Socially Inclusive Communities Statewide to							
	S	4.1			Create and sustain existing Community Relations Councils in 46							
	M		4.1.1	Number of Quality of Life initiatives implemented for 2 new and 2 existing Community Relation Councils	0	4	0	7/1/2018 - 6/30/2019	CRC Activity Report - Monthly	Count	To expose new Quality of Life initiative to new communities.	
	M		4.1.2	Sustain the current leadership in existing Community Relations Councils per minimum requirement during FY 2018-2019	14	14	15	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Count	Promote harmony in community and prevent discrimination	
	S	4.2			Implement technology platform and external communication							
	M		4.2.1	Distribute an electronic newsletter devoted to Community Relations Councils on a monthly basis during FY 2018-2019	12	12	12	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Count	Promote harmony in community and prevent discrimination	
	M		4.2.2	Communicate periodic updates on Agency web page to all Community Relations Councils during FY 2018-2019	5	6	12	7/1/2018 - 6/30/2019	SCHAC Activity Reports - Monthly	Count	Promote harmony in community and prevent discrimination	

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019
Accountability Report

Agency Code: L360 Section: 70

Strategic Planning and Performance Measurement Template

Statewide Enterprise Strategic Objective	Type	Item #			Description	2018-19			Time Applicable	Data Source and Availability	Calculation Method	Meaningful Use of Measure
		Goal	Strategy	Measure		Base	Target	Actual				
Education, Training, and Human Development	G	5			Advocate the compliance of Agency Affirmative Action Policies within all							
	S	5.1			Partner with all State agencies to better monitor agency Affirmative							
	M		5.1.1		Conduct a computer analysis of each agency's hiring and promotion practices during FY 2018-2019	90	90	90	7/1/2018 - 6/30/2019	Annual Report to General Assembly	CAAMS	Adherence to SC Laws
	M		5.1.2		Review all State agency Affirmative Action reports and provide necessary recommendations to State agencies in developing and implementing non-	90	90	90	7/1/2018 - 6/30/2019	Annual Report to General Assembly	CAAMS	Adherence to SC Laws
	S	5.2			Provide Affirmative Action and Employment Law training to all State							
	M		5.2.1		Provide 12 EEO Employment Law training sessions for supervisors of State agencies requesting assistance during FY 2018-2019	12	12	20	7/1/2018 - 6/30/2019	Annual Report to General Assembly	Count	Prevent Employment discrimination
	M		5.2.2		Organize one Statewide Affirmative Action Forum for all State agencies during FY 2018-2019	1	1	1	7/1/2018 - 6/30/2019	Annual Report to General Assembly	Count	Prevent Employment discrimination

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019

Accountability Report

Agency Code: L360 Section: 70

Strategic Planning and Performance Measurement Template

Statewide Enterprise Strategic Objective	Type	Item #			Description	2019-20		Data Source and Availability	Calculation Method	Meaningful Use of Measure
		Goal	Strategy	Measure		Base	Target			
Maintaining Safety, Integrity and Security	G	1.0.0			Enhance the reputation of the State as a diverse and inclusive community by preventing discrimination through training, outreach and community relations					
	S	1.1.0			Train stakeholders to prevent discrimination					
	M		1.1.1	Number of External Training Attendees - Housing	245	257	SCHAC Activity Reports - Count Monthly		Provides data on the efforts of the Commission to reduce discrimination in Housing	
	M		1.1.2	Number of External Training Attendees - Employment	3802	3992	SCHAC Activity Reports - Count Monthly		Provides data on the efforts of the Commission to reduce discrimination in Employment	
	M		1.1.3	Invitations to provide additional training to agencies/businesses by referral within State Fiscal Year	N/A	12	SCHAC Activity Reports - Count Monthly		Provides data on the efforts of the Commission to reduce discrimination in Employment	
	S	1.2.0			Conduct a computer analysis of each Agency's hiring and promotion					
	M		1.2.1	100% of required State agencies meet 70% of their employment goals for minorities and women based on availability estimates of the qualified labor pool	97%	100%	Annual Report to General Assembly	CAAMS	Adherence to SC Laws	
	M		1.2.2	Provide technical assistance to 100% of Agencies requiring assistance with goal attainment in their Affirmative Action Plans	100%	100%	SCHAC Activity Reports - Number of agencies requesting assistance / Responses to agencies		Data on the affirmative action goals for the State of South Carolina in providing equal employment opportunities	
	M		1.2.3	Monitor 100% of Agencies who have not met the State goal attainment for Affirmative Action Plans	100%	100%	SCHAC Activity Reports - Number of non-compliant agencies assisted / Number of non-compliant agencies		Data on the affirmative action goals for the State of South Carolina in providing equal employment opportunities	
	S	1.3.0			Provide outreach and community relations opportunities to promote					
	M		1.3.1	Number of Outreach Opportunities each SFY - Public	1163	1221	SCHAC Activity Reports - Count Monthly		Promote harmony in community and prevent discrimination	
	M		1.3.2	Number of Outreach Opportunities each SFY - Professionals	312	328	SCHAC Activity Reports - Count Monthly		Promote harmony in community and prevent discrimination	
	M		1.3.3	Number of impressions received through media advertisements	1634	1716	SCHAC Activity Reports - Count Monthly		Promote harmony in community and prevent discrimination	
Maintaining Safety, Integrity and Security	G	2.0.0			Eliminate Employee Discrimination through Enforcement of the Human Affairs Law					
	S	2.1.0			Implement an efficient processing system for Employment discrimination complaints					
	M		2.1.1	Close 80% of carried forward inventory and cases received in SFY 2019-20	99%	80%	Compliance Program Monthly Activity Report	Cases Closed / (Pending Inventory + Cases Received)	Provides data to ensure timely resolution rates.	
	M		2.1.2	95% or more of closures initially accepted by the EEOC during the SFY	99%	95%	Compliance Program Monthly Activity Report	Cases Initially Accepted by EEOC / Cases Closed	Provides data on the quality of Employment cases.	
	S	2.2.0			Enforce compliance with agreements/settlements and legal orders through monitoring					
	M		2.2.1	Review 100% of agreements/settlements annually	100%	100%	SCHAC Activity Reports - Number reviewed / Number of orders		Provides data on the efforts of the Commission to verify compliance	

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019

Accountability Report

Agency Code: L360 Section: 70

Strategic Planning and Performance Measurement Template

Statewide Enterprise Strategic Objective	Type	Item #			Description	2019-20		Data Source and Availability	Calculation Method	Meaningful Use of Measure
		Goal	Strategy	Measure		Base	Target			
	M			2.2.2	Review 100% of legal orders annually	100%	100%	SCHAC Activity Reports - Monthly	Number reviewed / Number of orders	Provides data on the efforts of the Commission to verify compliance
	M			2.2.3	Enforce 100% of legal orders against respondents who fail to comply, as needed	100%	100%	SCHAC Activity Reports - Monthly	Number of enforcements / Number of orders	Provides data on the efforts of the Commission to compel compliance
	S			2.3.0	Encourage conciliated resolutions between charging parties and					
	M			2.3.1	Utilize the mediators for 10% of our employment cases	16%	10%	Mediation Monthly Report	Number held / Number Closed	Provides data on the efforts of the Commission to utilize alternative dispute resolution
	M			2.3.2	Employment Investigators negotiate settlement for 10% of their employment cases	7%	10%	Compliance Program State Report and Mediation Report	Cases Settled by Employment Investigators / Cases Completed	Provides data on the efforts of the Commission to utilize alternative dispute resolution
	M			2.3.3	Mediators have a 50% success rate for mediations scheduled	53%	50%	Mediation Monthly Report	Successful / Held	Provides data on the efforts of the Commission to utilize alternative dispute resolution
Maintaining Safety, Integrity and Security	G			3.0.0	Eliminate Housing Discrimination through Enforcement of the Fair Housing Law					
	S			3.1.0	Implement an efficient processing system for Housing discrimination complaints					
	M			3.1.1	Close 80% of cases received in SFY 2019-20	129%	80%	Status of Fair Housing Complaint Activity Report	Cases Closed / Cases Received	Provides data to ensure timely resolution rates.
	M			3.1.2	85% or more of closures accepted by HUD during the SFY	100%	85%	Status of Fair Housing Complaint Activity Report	Cases Accepted by HUD / Cases Closed	Provides data on the quality of Housing cases.
	S			3.2.0	Promote settlements/agreements and ensure compliance with settlements/agreements through monitoring					
	M			3.2.1	Conciliate more than 20% of Housing cases	27%	20%	Status of Fair Housing Complaint Activity Report	Cases Conciliated / Cases Closed	Provides data on the efforts of the Commission to utilize alternative dispute resolution
	M			3.2.2	Review 100% of conciliations annually and audit respondents	100%	100%	Housing Department	Number of conciliations / Monthly audits	Provides data on the follow through of respondents of conciliated cases
Education, Training, and Human Development	G			4.0.0	Increase the efficiencies and effectiveness of the Commission through training and employee retention					
	S			4.1.0	Increase the efficiencies of the Employment Enforcement Division					
	M			4.1.1	Number of Internal Training Attendees - Employment	310	326	Sign in sheets	Count	Provides data on the Commission's effort to improve efficiencies through training
	M			4.1.2	Decrease the average charge age to improve processing times	221	180	EEOC Pending Inventory Report	IMS	Provides data on the Commission's effort to improve efficiencies achieved through training and retention
	S			4.2.0	Increase the efficiencies of the Fair Housing Division					
	M			4.2.1	Number of Internal Training Attendees - Housing	N/A	60	Sign in sheets	Count	Provides data on the Commission's effort to improve efficiencies through training

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019
Accountability Report

Agency Code: L360 Section: 70

Strategic Planning and Performance Measurement Template

Statewide Enterprise Strategic Objective	Type	Item #			Description	2019-20		Data Source and Availability	Calculation Method	Meaningful Use of Measure
		Goal	Strategy	Measure		Base	Target			
	M		4.2.2		Decrease the average charge age to improve processing times	154	100	HEMS	HEMS	Provides data on the Commission's effort to improve efficiencies achieved through training and retention
	S		4.3.0		Increase the effectiveness and efficiency of the Commission through employee retention					
	M		4.3.1		Employee Turnover Rate	20%	5%	Quarterly Human Resources Update for Board	Number of Employees Leaving Commission / FTE's	Reduction in the costs to onboard/train new employees and to keep internal efficiencies
	M		4.3.2		Increase average employee salary to increase employee retention	85%	100%	Employee Salary and Statewide Classified Paybands	Average Employee Salary / Average Midpoint of State Paybands	Reduction in the costs to onboard/train new employees and to keep internal efficiencies

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019
Accountability Report

Agency Code: L360 Section: 070

Program Template

Program/Title	Purpose	FY 2018-19 Expenditures (Actual)				FY 2019-20 Expenditures (Projected)				Associated Measure(s)
		General	Other	Federal	TOTAL	General	Other	Federal	TOTAL	
I. Administration	To provide administrative direction, control, and support for the Agency	\$ 802,242	\$ -	\$ -	\$ 802,242	\$ 828,884	\$ -	\$ -	\$ 828,884	
					\$ -				\$ -	
					\$ -				\$ -	
II. Consultative Services	To provide technical services, training, and equal opportunity, community relations, and consulting services	\$ 163,489	\$ -	\$ -	\$ 163,489	\$ 320,165	\$ -	\$ -	\$ 320,165	
					\$ -				\$ -	
					\$ -				\$ -	
III. Compliance Programs	To enforce State laws prohibiting employment, housing, and public accommodations discrimination	\$ 816,709	\$ 414,195	\$ 246,056	\$ 1,476,961	\$ 906,624	\$ 564,638	\$ 248,097	\$ 1,719,359	
					\$ -				\$ -	
					\$ -				\$ -	
IV. Employer Contributions		\$ 541,976	\$ 152,330	\$ 76,328	\$ 770,634	\$ 649,962	\$ 146,693	\$ 87,894	\$ 884,549	

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019
Accountability Report

Agency Code: L360 Section: 070

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If other service or product, please specify what service or product.
1	1-13-20. Declaration of policy.	State	Statute	Establishes that discrimination is unlawful and declares that the Agency was created by the General Assembly to promote harmony, and eliminate and prevent discrimination on the basis of race, religion, color, sex, age, national origin, or disability.	No	No - But relates to manner in which one or more agency deliverables is provided		
2	1-13-30. Definitions.	State	Statute	Provides definitions for terms within the Human Affairs Law, which help to establish the jurisdiction of and guidance to the Agency.	No	No - But relates to manner in which one or more agency deliverables is provided		
3	1 - 13 - 40. Creation of South Carolina Commission on Human Affairs.	State	Statute	Establishes the Commission (Board) and provides guidance on members who may be selected for the Board, and the appropriate methods of voting.	Yes	Yes	Board, commission, or committee on which someone from our agency must/may serve	
4	1-13-50. Commissioner and personnel.	State	Statute	Guides the Commission Board on selection of an Agency Head and additional staff.	No	No - But relates to manner in which one or more agency deliverables is provided		
5	1-13-60. Duties of chairman and vice-chairman.	State	Statute	Commands the Chairman to act as the presiding officer at meetings of the Commission and states that he shall promote the orderly transaction of its business.	No	No - But relates to manner in which one or more agency deliverables is provided		
6	1-13-70. Powers of Commission.	State	Statute	Explains the Commission's powers, including (1) the ability to maintain an office or offices; (2) the ability to adopt bylaws; (3) the authority to promulgate regulations related to the	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
7	1-13-80. Unlawful employment practices; exceptions.	State	Statute	Establishes various unlawful employment practices, which the Commission has the power to investigate, and exceptions thereto. Requires notices to be posted at employers' businesses.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
8	1-13-85. Medical examinations and inquiries.	State	Statute	Establishes various unlawful employment practices related to medical inquiries and examinations which the Commission has the power to investigate.	No	No - But relates to manner in which one or more agency deliverables is provided		
9	1-13-90. Complaints, Investigations, Hearings and Orders.	State	Statute	Establishes the means by which the Commission may accept charges of discrimination and investigate the same. This section establishes the subpoena power of the Agency regarding	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
10	1-13-100. Construction and Application of Chapter.	State	Statute	Limits the construction and application of the Human Affairs Law to those things which violate the law per section S.C. Code Ann. § 1-13-90; that violate Title VII of the Civil Rights Act of 1964, as amended, 42 U. S. C. Section 2000e et seq.; that violate the Age	No	No - But relates to manner in which one or more agency deliverables is provided		
11	1-13-110. Affirmative Action Plans by State Agencies; Approval by Commission; Action by General Assembly.	State	Statute	Requires that each State agency shall develop an Affirmative Action Plan to assure equitable employment for members of minorities and shall present the plans to the Agency on or by February 1 of each year. The Commission reports to the Department of Administration if a	Yes	Yes	Report our agency must/may provide	
12	65-1 Definitions.	State	Regulation	Provides definitions for terms within the Human Affairs Law regulations, which help to establish the jurisdiction of and guidance to the Agency.	No	No - But relates to manner in which one or more agency deliverables is provided		
13	65-2 Complaint.	State	Regulation	Governs the requirements for the Agency's acceptance and retention of formal complaints of discrimination under the Human Affairs Law. Provides for circumstances in which a complaint	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
14	65-3. Investigation and Production of Evidence	State	Regulation	Provides structure to the investigation process and identifies responsibilities of the investigator, Commission members, and other staff. Explains the steps required prior to	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
15	65-4 Preliminary or Temporary Relief.	State	Regulation	Grants the Agency authority to apply to a court of competent jurisdiction, seeking injunctive relief regarding a pending complaint with the Agency, pursuant to 1-13-70(s).	No	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
16	65-5 Conference, Conciliation and Persuasion.	State	Regulation	Explains the processes related to conciliation and settlement during the investigation, or after. Requires that those attempts at conciliation be kept confidential by the Agency.	Yes	Yes	Other service or product our agency must/may provide	Conciliation of discrimination investigations
17	65-6 Reasonable Cause Determination: Procedure and Authority.	State	Regulation	Requires that the Agency submit a reasonable cause determination and notify the parties of the same, if based on evidence obtained by the Commission, the Agency believes that an	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
18	65-7 Reconsideration of Order of Dismissal or Order to Initiate Suit.	State	Regulation	Establishes the Commission's duty to provide an opportunity of reconsideration of a matter where applicable.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
19	65-8 Procedure for Hearing as Provided by Section 1-13-90(c) of the Act.	State	Regulation	Establishes the procedures for holding an Administrative Hearing, and issuing an Order, in any case where a reasonable cause determination has been issued against a State agency for	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
20	65-9 Procedure for the Institution of Civil Actions as Provided in Section 1-13-90(d) of the Act.	State	Regulation	Establishes the procedures for the Agency to institute a civil action in any case where a reasonable cause determination has been issued against an employer that is not a State agency for violating the Human Affairs Law. Alternatively, authorizes the Complaining Party	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
21	65-10 Certification.	State	Regulation	Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission.	No	No - But relates to manner in which one or more agency deliverables is provided		
22	65-11 Availability of Rules.	State	Regulation	Establishes that the Agency should have the rules and regulations available to the public at its	Yes	Yes	Report our agency must/may provide	

23	65-12 Construction of Rules and Pleadings.	State	Regulation	Explains that the regulations shall be constructed liberally to effectuate the purposes of the Human Affairs Law of South Carolina.	No	No - But relates to manner in which one or more agency deliverables is provided
24	65-13 General Investigations.	State	Regulation	Establishes that the Agency may, in its discretion, conduct general investigations of discrimination.	No	No - But relates to manner in which one or more agency deliverables is provided
25	65-20 Submission of Equal Employment Opportunity Reports.	State	Regulation	Requires that all State agencies submit Equal Employment Opportunity Reports to the Agency. Requires supplements to each report on a regular basis and when specifically requested by the Human Affairs Commission.	No	No - But relates to manner in which one or more agency deliverables is provided
26	65-21 Equal Employment Officer to be Designated.	State	Regulation	Requires that every State agency head designate an Equal Employment Officer for preparing reports and communicating with the Human Affairs Commission regarding the Equal Employment Opportunity Report.	No	No - But relates to manner in which one or more agency deliverables is provided
27	65-23 Preservation of Records in Event of Charge of Discrimination.	State	Regulation	Requires that a State agency preserve all personnel records relevant to a pending charge or action under the Human Affairs Law until final disposition of the charge or the action.	No	No - Does not relate directly to any agency deliverables
28	65-24 Notices to be Posted.	State	Regulation	Requires that employers shall post, keep posted, and maintained in conspicuous places upon	Yes	Yes Report our agency must/may provide
29	65-30 Guidelines Established.	State	Regulation	Expounds upon the types of unlawful treatment in S.C. Code Ann. § 1-13-30(T) based on an employee's sex, which includes, pursuant to S.C. Code Ann. § 1-13-30(I), pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation, and women	No	No - But relates to manner in which one or more agency deliverables is provided
30	65-40 Minimum Requirements.	State	Regulation	Sets for parameters that community groups must meet before being recognized as a Community Relations Council by the Agency.	No	No - But relates to manner in which one or more agency deliverables is provided
31	Civil Rights Act of 1964 [Title VII , 42 USC §2000 et seq]	Federal	Statute	Prohibits discrimination in employment based on race, color, religion, sex, or national origin; prohibits discrimination against an employee/applicant for opposing an unlawful employment practice, making a charge, or assisting in an investigation, proceeding, or	No	No - But relates to manner in which one or more agency deliverables is provided
32	Title I of the Americans with Disabilities Act of 1990 (ADA)	Federal	Statute	Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing,	No	No - But relates to manner in which one or more agency deliverables is provided
33	The Age Discrimination in Employment Act of 1967 (ADEA) [29 USC §621]	Federal	Statute	Prohibits an employer from refusing to hire, discharge or from otherwise discriminating against any individual age 40 or older, solely on the basis of age.	No	No - But relates to manner in which one or more agency deliverables is provided
34	Ledbetter Fair Pay Act of 2009 [Public Law 111-2, 123]	Federal	Statute	Amends Civil Rights Act of 1964 to state that the 180-day statute of limitations for filing an equal pay suit resets with each new discriminatory paycheck.	No	No - But relates to manner in which one or more agency deliverables is provided
35	Equal Pay Act of 1967 [29 USC §206(d)]	Federal	Statute	Prohibits paying wages to employees at a rate less than the rate at which the employer pays wages to employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working	No	No - But relates to manner in which one or more agency deliverables is provided
36	Genetic Information Nondiscrimination Act (GINA) [Public Law 110-223]	Federal	Statute	Prohibits discrimination based on genetic information in both health insurance (Title I) and employment (Title II).	No	No - Does not relate directly to any agency deliverables
37	Pregnancy Discrimination Act [42 U.S.C. § 2000(e) et seq.]	Federal	Statute	Prohibits discrimination against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of	No	No - But relates to manner in which one or more agency deliverables is provided
38	31-21-20. State policy.	State	Statute	Establishes the State policy to provide fair housing throughout the State.	No	No - But relates to manner in which one or more agency deliverables is provided
39	31-21-30. Definitions.	State	Statute	Provides definitions for terms within the Fair Housing Law, which help to establish the jurisdiction of the Agency, and guidance to the Agency and citizens of South Carolina.	No	No - But relates to manner in which one or more agency deliverables is provided
40	31-21-40. Discrimination in relation to sale or rental of property.	State	Statute	Establishes the prohibited discriminatory housing practices that the Commission has the power to investigate based on discrimination regarding sales or rentals of jurisdictional property.	No	No - But relates to manner in which one or more agency deliverables is provided
41	31-21-50. Discrimination in relation to membership or participation in multiple listing service, real estate brokers' organization, or related service, organization, or facility.	State	Statute	Establishes that it is unlawful to deny any person access to, or membership or participation in, any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings or to discriminate against him in the terms or conditions of the access, membership, or participation on account of their membership in a protected class (due to race, color,	No	No - But relates to manner in which one or more agency deliverables is provided
42	31-21-60. Discrimination in relation to residential real estate-related transactions.	State	Statute	Defines the term "residential real estate-related transaction" and establishes that it is unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a	No	No - But relates to manner in which one or more agency deliverables is provided
43	31-21-70. Application and exceptions.	State	Statute	Further explains jurisdiction and clarifies the law by restricting the Fair Housing Law's application to certain housing providers. Expands unlawful discrimination related to a disability or handicap to include issues such as a housing provider's failure to accommodate,	No	No - But relates to manner in which one or more agency deliverables is provided

44	31-21-80. Interference with the exercise of any right under this chapter.	State	Statute	Makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise of, or on account of his having aided or encouraged any other person in the exercise of, any right granted under the Fair Housing Law.	No	No - But relates to manner in which one or more agency deliverables is provided		
45	31-21-90. Administration of chapter.	State	Statute	Provides that the Human Affairs Commissioners shall administer the Fair Housing Law, but may delegate responsibilities to Commission staff, such as investigating, conciliating, hearing,	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
46	31-21-100. Powers of the Commission.	State	Statute	Explains the Commission's powers regarding the South Carolina Fair Housing Law, including (1) the ability to make regulations necessary to enforce the Fair Housing Law; (2) to make	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
47	31-21-110. Investigations by commission; subpoenas.	State	Statute	Establishes the Commission's investigatory power and the power to issue subpoenas.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
48	31-21-120. Complaints; process and handling; conciliation; effect of local laws; civil action.	State	Statute	Explains the process by which a complaint of discrimination may be accepted for investigation at the Agency. Establishes the Commission's ability to conciliate matters through mutual agreements. Limits an investigation to 100 days unless there is a reason for	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
49	31-21-130. Investigator's report and recommendation; dismissal of or hearing on complaint; civil action; amending of complaint; subpoenas; hearing by commission; opinion and order; review; court appeals; enforcement orders.	State	Statute	Explains the procedures for completing an investigation and either dismisses the matter for lack of cause or recommends that the matter be heard in an administrative hearing before a panel of the Board of Commissioners because the complainant has met their burden of proof under Fair Housing Law. Establishes the right of either party to elect that a civil action be filed instead of an administrative hearing. Explains the hearing process if an administrative hearing is to be held.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
50	31-21-140. Civil action; damages.	State	Statute	Provides that a civil action shall be commenced within one year of the alleged discriminatory housing practice, though that period may be tolled during portions of the investigation.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
51	31-21-150. Coordination regarding complaint filed with multiple agencies.	State	Statute	States that the Agency will determine if a complainant has filed a similar complaint with the Federal Home Loan Bank Board, the Comptroller of the Currency, the Federal Deposit	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
52	65-210 General.	State	Regulation	Provides further clarification related to jurisdiction of the law for certain housing providers. Incorporates definitions from the Law for purposes of the regulations and provide additional definitions.	No	No - But relates to manner in which one or more agency deliverables is provided		
53	65-211 Discriminatory Housing Practices.	State	Regulation	Interprets certain prohibitions of unlawful conduct in the context of real estate practices; advertisements, statements and notices; representations on the availability of dwellings; blockbusting; and the provision of brokerage services.	No	No - But relates to manner in which one or more agency deliverables is provided		
54	65-213 Discrimination in Residential Real Estate-Related Transactions.	State	Regulation	Interprets certain prohibitions of unlawful conduct in the context of residential real estate-related transactions; the making of loans and in the provision of other financial assistance; the purchasing of loans; the terms and conditions for making available loans or other	No	No - But relates to manner in which one or more agency deliverables is provided		
55	65-215 Prohibition Against Discrimination Because of Handicap.	State	Regulation	Interprets certain prohibitions of unlawful conduct in the context of the protected class of disability by listing general prohibitions against discrimination because of handicap and by providing additional definitions.	No	No - But relates to manner in which one or more agency deliverables is provided		
56	65-217 Housing for Older Persons.	State	Regulation	Explains certain jurisdiction limitations for State and federal elderly housing programs, and fifty-five or over housing.	No	No - But relates to manner in which one or more agency deliverables is provided		
57	65-219 Interference, Coercion or Intimidation.	State	Regulation	Interprets unlawful conduct under 31-21-80, considered to be retaliatory or found to be an attempt to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of that person having exercised or enjoyed, or on account of	No	No - But relates to manner in which one or more agency deliverables is provided		
58	65-220 Complaints.	State	Regulation	Provides guidance related to the acceptance of complaints of discrimination by the Agency. Further explains when an amendment would be appropriate and how the complaint will be	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
59	65-221 Referral of Complaints to State and Local Agencies.	State	Regulation	Explains the proper procedure for handling dually filed or duplicative complaints among local, state, and other agencies.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
60	65-223 Investigation Procedures.	State	Regulation	Provides the burden of proof in a housing investigation (reasonable cause) and gives the Investigator guidance on how to process and investigate file. States the need for the	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
61	65-225 Conciliation Procedures.	State	Regulation	Requires the Commission to attempt conciliation with each complaint filed. Provides guidance on the type of relief that may be contemplated in a conciliation agreement. States	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
62	65-227 Issuance of Complaint.	State	Regulation	Explains how a reasonable cause determination should be issued and how an administrative pleading should be created to be served on the parties following a reasonable cause	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
63	65-229 Other Action.	State	Regulation	Directs the Commission to notify agencies about a hearing if it has an interest in the enforcement of the respondent's obligation. Requires other agencies to cooperate with the	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
64	65-230 General Information.	State	Regulation	Contains the rules of practice and procedure established by the Commission for administrative proceeds, to include reasonably accommodating persons with disabilities and	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
65	65-231 Hearing Panel.	State	Regulation	Grants authority to the Chief Hearing Office of the administrative hearing panel, such as conducting the hearing, issuing subpoenas, ruling on evidence, and handling motions.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
66	65-232 Parties.	State	Regulation	Permits the parties to a complaint to be present at the hearing, as well as intervenors to the matter if they are aggrieved. States that there may be legal representatives for the parties,	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
67	65-233 Pleadings, Motions and Discoveries.	State	Regulation	Indicates the types of pleadings necessary to an administrative hearing, and those which are permitted. Provides certain deadlines related to filing of pleadings and for discovery. Allows	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
68	65-234 Dismissal and Decisions.	State	Regulation	Requires that an administrative proceeding be dismissed if a separate suit is filed as a civil action.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations

69	65-235 Hearing Procedures (Review and Enforcement).	State	Regulation	Provides guidance on the date and place that a hearing should be held and further provides who may be present to represent the parties. Explains the conduct of the hearing, to include	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
70	65-236 Certification.	State	Regulation	Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission.	No	No - But relates to manner in which one or more agency deliverables is provided		
71	65-237 Availability and Construction of Rules.	State	Regulation	Establishes that the Agency should have the rules and regulations available to the public at its office.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
72	65-240 Purpose.	State	Regulation	States that the purpose of the regulation is to assist advertising media and agencies.	No	No - Does not relate directly to any agency deliverables		
73	65-242 Scope.	State	Regulation	Provides the scope of the rule and states that persons who fail to use the appropriate criteria will be subject to reasonable cause determinations when necessary.	No	No - But relates to manner in which one or more agency deliverables is provided		
74	65-244 Use of Words, Phrases, Symbols, and Visual Aids.	State	Regulation	Provides certain words, phrases, symbols, and forms that may be considered discriminatory by the Commission when investigating an allegation of discrimination in housing advertisements.	No	No - But relates to manner in which one or more agency deliverables is provided		
75	65-246 Selective Use of Advertising Media or Content.	State	Regulation	Explains that content in and use of housing advertising may be considered discriminatory by the Agency if such advertising appears to have a discriminatory impact by being targeted for a particular protected class.	No	No - But relates to manner in which one or more agency deliverables is provided		
76	42 U.S.C. §§ 3601 - 3619*	Federal	Statute	The Federal Fair Housing Act defines the discriminatory fair housing practices and the enforcement procedure for Fair Housing violations. The South Carolina Fair Housing Law is substantially equivalent to the Federal Fair Housing Act.	No	No - But relates to manner in which one or more agency deliverables is provided		
77	ANSI A117.1	State	Regulation	The American National Standard for Buildings and Facilities Providing Accessibility and Usability for Physically Handicapped People requirements have been incorporated by reference into 31-21-70(H) and provide a "safe harbor" for housing providers to remain in	No	No - But relates to manner in which one or more agency deliverables is provided		
78	45-9-10. All persons entitled to equal enjoyment of and privileges to public accommodations; places of public accommodation; "supported by state action" defined.	State	Statute	Provides that all persons should be entitled to the full and equal enjoyment of the services and accommodations of any place of public accommodation, regardless of their race, color, religion, or national origin. Defines those locations that are considered places of public accommodation under the law. Defines "supported by state action."	No	No - But relates to manner in which one or more agency deliverables is provided		
79	45-9-20. Exception for private establishments.	State	Statute	Provides that the chapter does not apply to a private club or other establishment not in fact open to the general public.	No	No - But relates to manner in which one or more agency deliverables is provided		
80	45-9-30. Deprivation of right to equal enjoyment of and privileges to public accommodations prohibited.	State	Statute	Prohibits persons from depriving or attempting to deprive others from the rights of equal enjoyment in places of public accommodations.	No	No - But relates to manner in which one or more agency deliverables is provided		
81	45-9-40. Processing of complaints; review by State Human Affairs Commission; complaint by Attorney General.	State	Statute	Provides that after receipt of the investigation into complaints by Attorney General (AG) and SLED, Agency shall conduct an investigation to determine whether there is reasonable cause that Article 1 rights to public accommodations were violated. If reasonable cause is found,	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
82	45-9-50. Hearing on complaint by Attorney General; notice of hearing.	State	Statute	Provides that a panel of Agency members, designated by Chairman must hold a hearing within 60 days of the AG complaint and provide notice of the hearing.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
83	45-9-60. State Human Affairs Commission may establish rules of procedure for hearings; subpoenas; rights of persons charged; rules of evidence scope of hearing; deliberations of panel; remedies for violation.	State	Statute	Provides that the Agency may establish rules of procedure for hearings related to allegations of discrimination in a place of public accommodation. Provides that Commission shall grant relief for Article 1 violations and may order reimbursement for costs incurred in conducting hearings.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations
84	45-9-65. Liability of employer for acts of employee; conditions under which revocation of license not required for pattern or practice of discriminatory conduct.	State	Statute	Provides conditions where Agency may find discrimination but not require revocation of license. Provides that Agency may find employers are not liable for acts of employee unless it was reasonably known to the licensee, permittee, or managing agent.	No	No - But relates to manner in which one or more agency deliverables is provided		
85	45-9-70. Right to intervene in action.	State	Statute	Provides that panel shall consider whether intervention will unduly delay or prejudice adjudication of rights of the original parties.	Yes	No - But relates to manner in which one or more agency deliverables is provided		
86	45-9-75. Final decision of panel; appeals.	State	Statute	Provides that the final Agency decision shall be in writing and list licenses or permits to be revoked.	Yes	Yes	Other service or product our agency must/may provide	Adjudication of discrimination investigations

87	45-9-80. Attorney General to notify permitting, regulatory, or licensing authority of violations; immediate revocation of license or permit; enforcement of panel's decision; violators not to obtain license or permit for three years.	State	Statute	Authority not granted to Agency. The statute states that if the Agency determines a violation occurred, then the Attorney General must notify the licensing, permitting, or regulatory entity of the violation in order to revoke the same.	No	No - But relates to manner in which one or more agency deliverables is provided
88	45-9-85. Penalty for violating confidentiality provisions.	State	Statute	Violators of confidentiality provisions in 42-9-60 subject to fine or imprisonment.	No	No - But relates to manner in which one or more agency deliverables is provided
89	45-9-90. Penalty for violating provisions of Article 1.	State	Statute	Violators of Article I subject to misdemeanor conviction along with fine and/or imprisonment.	No	No - But relates to manner in which one or more agency deliverables is provided
90	45-9-100. Action for damages by aggrieved party; minimum damages for violation.	State	Statute	Provides that party may file a suit in circuit court for recovery of damages subject to 45-9-110 limitations.	No	No - Does not relate directly to any agency deliverables
91	45-9-110. Prerequisites to action for damages; conciliation.	State	Statute	Establishes the process by which a charge of unlawful discrimination or segregation may be conciliated by the Agency, and requires that a complaining party seek conciliation through the Agency before filing a lawsuit.	No	No - But relates to manner in which one or more agency deliverables is provided
92	45-9-120. Prerequisites to action for damages not to limit right to pursue license revocation or criminal penalties.	State	Statute	Establishes 45-9-110 limitations do not apply to pursuit of license revocation and criminal penalties.	No	No - But relates to manner in which one or more agency deliverables is provided
93	70.1 (HAC: Human Affairs Forum Carry Forward)	State	Proviso	States that revenue from donations and registration fees from Forums shall be retained and carried forward for general operations.	No	No - But relates to sources of funding for one or more agency deliverables
94	70.2 (HAC: Training Revenue)	State	Proviso	States that revenue from fees from training and technical assistance shall be retained and carried forward for general operations.	No	No - But relates to sources of funding for one or more agency deliverables
95	70.3 (HAC: Revenue from Copying Fees)	State	Proviso	States that revenue derived from copies of Commission files, opinions, and Orders shall be retained and carried forward for general operations.	No	No - But relates to sources of funding for one or more agency deliverables
96	117.13(GP: Discrimination Policy)	State	Proviso	Reaffirms the State's discrimination policy and describes the details required to be included	Yes	Yes Report our agency must/may provide

Agency Name: HUMAN AFFAIRS COMMISSION

Fiscal Year 2018-2019
Accountability Report

Agency Code: L360 Section: 70

Customer Template

Divisions or Major Programs	Description	Service/Product Provided to Customers	Customer Segments	<i>Specify only for the following Segments: (1) Industry: Name; (2) Professional Organization: Name; (3) Public: Demographics.</i>
Compliance - EEO Enforcement and Fair Housing	Complainant or Individual filing a complaint of discrimination	Provides timely and professional assistance and processes the charge of discrimination to a successful resolution.	General Public	All Citizens employed or seeking employment. All Citizens living in rental homes, neighborhoods or purchasing homes or seeking rentals.
Compliance - EEO Enforcement and Fair Housing	Respondent or business to which the complaint is filed against	Provides timely and professional assistance and processes the charge of discrimination to a successful resolution.	Industry	All private Industry or Businesses.All private Rental Businesses and Realtors.
Compliance - EEO Enforcement and Fair Housing	Attorneys representing the Complainant or Respondent	Provides timely and professional assistance and processes the charge of discrimination to a successful resolution.	Industry	Law Firms
Consultative Services - Technical Services	State Agencies, organizations and individuals receiving training services and/or affirmative action program assistance	Provides knowledge and assistance which will enhance their capacity to carry out the responsibilities to contribute to the prevention and elimination of unlawful discrimination.	General Public	All citizens employed by state government Private industry seeking EEO training
Consultative Services - Community Relations	Local Community Relations Councils which receive	Provides assistance to enable local communities to enhance their capacity to address local issues related to diversity thereby serving their citizens, promoting harmony, and improving the quality of life in local communities.	General Public	All citizens seeking to promote harmony related to matters of human diversity
Compliance - EEO Enforcement	US Equal Employment Opportunity Commission (EEOC)	Processes complaints where contractual obligations and responsibilities are successfully fulfilled.	Industry	Federal Government
Compliance - Fair Housing	US Department of Housing and Urban Development (HUD)	Processes complaints where contractual obligations and responsibilities are successfully fulfilled.	Industry	Federal Government

Agency Name:**HUMAN AFFAIRS COMMISSION****Fiscal Year 2018-2019****Accountability Report****Agency Code:****L360****Section:****070****Partner Template**

Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Goal(s)
Citizens of SC	Individual	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	1.1.1, 1.1.2, 1.2.1, 2.1.1, 2.2.1, 2.2.2, 2.2.3, 3.1.1, 3.1.2, 3.1.3, 3.2.1, 4.1.1, 4.1.2, 4.2.2, 4.3.1, 5.1.1, 5.2.1
Business/Companies	Private Business Organization	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	1.1.1, 1.1.2, 1.2.1, 2.1.1, 2.2.1, 2.2.2, 2.2.3, 3.1.1, 3.1.2, 3.1.3, 3.2.1, 4.1.1, 4.1.2, 4.2.2, 4.3.1, 5.1.1, 5.2.1
Governor	State Government	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. Request funds to efficiently and effectively carry out the mission of the Agency and train Board Members appointed by Governor about the Agency's mission and operations.	1.1.1, 1.1.2, 1.2.1, 2.2.1, 2.2.2, 2.2.3, 3.2.1, 4.1.1, 4.3.1, 5.1.1, 5.1.2
State Legislature	State Government	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people. Request funds to efficiently and effectively carry out the mission of the Agency and train Board Members appointed by the Governor with the advice and consent of the Senate about the Agency's mission and operations.	1.1.1, 1.1.2, 1.2.1, 2.2.1, 2.2.2, 2.2.3, 3.2.1, 4.1.1, 5.1.1, 4.3.1, 5.1.2
State Agencies	State Government	Monitor State Agency Affirmative Action Plans including hiring and promotion practices and train managers on methods to prevent and eliminate discrimination.	1.1.1, 1.2.1, 3.1.2, 3.1.3, 5.1.1, 5.1.2, 5.2.1, 5.2.2

US Equal Employment Opportunity Commission (EEOC)	Federal Government	Enforce Employment laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	1.1.1, 1.1.2, 1.2.1, 3.1.2, 3.1.3, 5.1.1, 5.1.2
US Department of Housing and Urban Development (HUD)	Federal Government	Enforce Housing laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	2.1.1, 2.2.1, 2.2.2, 2.2.3, 3.1.1, 3.1.2, 3.1.3
Community Relations Councils - Local Government - Counties/Municipalities	Local Government	To help prevent discrimination through constructive dialogue thereby promoting harmony among a diverse group of people.	4.1.1, 4.1.2, 4.2.1, 4.2.2, 4.3.1
US Department of Justice	Federal Government	Share information and coordinate activities related to preventing discrimination in local communities and within the entire State.	4.1.1, 4.1.2, 4.2.1, 4.2.2

