

AGENCY NAME:	South Carolina Human Affairs Commission		
AGENCY CODE:	L360	SECTION:	070

**2022
Accountability Report**

SUBMISSION FORM

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

- Data Template
 - Reorganization and Compliance
 - FY2022 Strategic Plan Results
 - FY2023 Strategic Plan Development
 - Legal
 - Services
 - Partnerships
 - Report or Review
 - Budget
- Discussion Template
- Organizational Template

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

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

AGENCY DIRECTOR <i>(SIGN AND DATE):</i>	SIGNATURE ON FILE	Signature Received: 9/12/2022 13:05
<i>(TYPE/PRINT NAME):</i>	Janie A. Davis	

BOARD/CMSN CHAIR <i>(SIGN AND DATE):</i>	SIGNATURE ON FILE	Signature Received: 9/12/22 13:05
<i>(TYPE/PRINT NAME):</i>	James T. McLawhorn, Jr.	

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AGENCY’S DISCUSSION AND ANALYSIS

Year 2022 is significant in the history of the SC Human Affairs Commission (SCHAC), as the agency celebrated its 50th Anniversary. The agency was created by the SC General Assembly and signed into law by Governor John C. West on June 23, 1972, with the mission to prevent and eliminate unlawful discrimination and to facilitate the betterment of human affairs throughout the state. Governmental leaders in South Carolina during the late 60s and early 70s were dealing with a society that was fraught by racial unrest and discord permeating throughout the State. This unrest was exemplified through such events as the killing of three students at SC State known as the Orangeburg Massacre in 1968; the Charleston Hospital Workers Strike in 1969 where primarily African American women were being paid lower wages and not given the opportunity for career advancement; and through turbulent school integration taking place across the state that was marred by such incidents as the nationally publicized Lamar bus attack in 1970. To stabilize race relations and to create fairness and economic opportunity for all citizens, the Legislature and Governor created statutes to give SCHAC the authority to investigate allegations of unlawful discrimination in employment and housing; monitor fair employment practices in state government; and work across 46 counties to promote harmony, mutual respect and understanding to improve race relations. The South Carolina Human Affairs Law (SCHAL) 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 based on race, color, sex, national origin, religion, familial status, or disability. The South Carolina Public Accommodations Law prevents discrimination in access to public facilities (*e.g.*, restaurants, hotels, recreational parks, and other facilities) based on race, color, national origin, and religion. Finally, women are protected from unlawful discrimination due to pregnancy, lactation, and related issues through the Pregnancy Accommodations Act and the Lactation Support Act.

SCHAC has three program areas: Consultative Services, Compliance Programs, and Administrative Services. These programs carry out the agency’s mission to **“prevent and eliminate”** unlawful discrimination. Since the creation of the agency 50 years ago, South Carolina has made strides in race relations and community harmony. **People have learned to live and work together. Despite the progress made, the racial and domestic unrest of 2020 and subsequent events of intolerance across the country lets us know we cannot take progress for granted.** Through the *prevention* work of the Community Relations Division, SCHAC works with local governments and citizens to address problems before they escalate to discord, community unrest, property loss or loss of life. Additionally, the Technical Services and Training Division monitors state agencies, colleges and universities’ hiring practices impacting approximately 66,000 state employees; provides an Annual Report to the General Assembly showing employment trends in state government and progress towards fair employment based upon qualified applicants; and conducts training to educate public and private sector employers on how to implement fair employment practices effectively and legally.

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

The “elimination” of unlawful discrimination is enforceable through the work of the Legal Department which may litigate ‘for cause’ cases and enforce subpoenas against parties that fail to comply with requests for information.

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The Legal Department may institute Subpoena Enforcement Actions at the Administrative Law Court. Additionally, members of the Board of Commissioners may serve as administrative judges to hear employment and housing cases that are litigated based on the findings of SCHAC investigative staff. No hearings were held during SFY 2021-2022. The Legal staff may also argue matters and submit briefs before the South Carolina Administrative Law Court and the Circuit Courts of South Carolina.

SCHAC’s work continues to be relevant and pertinent. Without the administrative remedies available through SCHAC, there would likely be more community unrest, workplace violence, clogged court dockets, and tremendous back pay and court costs for public and private employers. The following narrative and charts provide an analysis of the productivity and levels of success accomplished during SFY 2021-2022.

Productivity Accomplishments:

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

The Agency Director/CAO, who arrived in 2020, made addressing the 2017 House Legislative Oversight Review findings a priority during SFY21 and worked with the Legislature and Governor to address the two findings noted. As a result, SCHAC received additional funding in July 2021 to increase employee salaries to address retention/turnover and was granted one additional FTE for the Community Relations Division. The CAO restructured the agency, reestablishing the two-deputy structure; one deputy responsible for overseeing the Consultative Services Programs (“prevention”), and the other deputy overseeing Compliance Programs (“elimination”). This structure improved accountability to ensure the agency’s mission, “to prevent and eliminate” unlawful discrimination, was equally addressed and properly staffed. SCHAC underwent a Classification and Compensation Study that afforded upward mobility in the classifications and provided promotional pathways to new positions and opportunities. The Study was completed during SFY22, and employees received appropriate compensation.

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

Prevention of discrimination is addressed by the Consultative Services Division, which includes Technical Services and Training; Community Relations; and Equal Employment Opportunity (EEO) Intake. They operate on a state fiscal year.

1) Technical Services and Training Division

SCHAC successfully monitored the hiring and promotions of employees in 90 State agencies, and on February 1, 2022, issued the “Annual Report to the General Assembly on the Status of Equal Employment Opportunity in South Carolina State Government”. SCHAC uses the Computerized Affirmative Action Management System (CAAMS) to evaluate State agency employment data to monitor their recruitment, hiring, and promotion practices. In support of a continuous improvement environment, SCHAC successfully migrated CAAMS affirmative action data to a Service as a System (cloud) platform to make use of the most up-to-date labor force data available. CAAMS assesses available statistical data, creates affirmative action plans (AAP), and reports on each State agency’s goal attainment in employment. Affirmative Action Plans and programs are

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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. During SFY22, 2 agencies maintained exempt status, granted agencies which employ minorities/women at rates reasonably expected based on availability of qualified people to fill positions; 2 agencies achieved 100% of their goal attainment; 11 agencies brought their goal attainment up by 5% or more, and 5 increased it by more than 10%.

Training helps prevent and eliminate discrimination. SCHAC provided 38 employment training sessions to 9 State agencies and 13 county government/other entities, impacting 2,845 employees during SFY22. Prevention is achieved by educating Human Resource personnel, supervisors, and employees about EEO Laws and professionalism in the workplace. SCHAC continued to see an increase in employers requesting training for employees. Staff provided interactive virtual training as an alternative to in-person training , when appropriate. Additional options were developed and implemented during this time to increase outreach, education, and meet the training needs of employers.

2) **Community Relations Division**

During SFY22, SCHAC successfully expanded the Community Relations Division (CRD). A new Director was hired June of 2021, and two new Community Relation Consultants were hired in SFY22. The CRD team went through intense training in early October 2021, i.e., state and federal laws, presentations from law enforcement, FBI, US Department of Justice, etc., to develop their understanding of the scope of work expected in the SCHAC Community Relations Program.

SCHAC hosted a statewide virtual Town Hall meeting in late October 2021 to provide the public an overview of past and current work of the Community Relations Division. A new performance measurement system, developed in early 2021 in accordance with recommendations of the House Legislative Oversight Committee, was introduced to the 13 existing Community Relations Councils in July 2021, and their performance measurement reports were due on or before June 30, 2022.

In the event a failure to maintain racial harmony leads to community unrest, SCHAC created a **Community Relations Alert System** to minimize the chances of loss of property and life due to community and racial unrest. The new alert system, based on the South Carolina Emergency Management Division’s system, provides alert designation for internal and external emergencies across the state. The three levels of operation are: Level 3: Normal Operations; Level 2: Enhanced Level of Awareness/Alert; and Level 1: Eminent Loss of Life and Property. SCHAC’s Community Relations Alert System is delivered in the same six geographical areas used by the South Carolina Emergency Management Division.

During SFY22, SCHAC developed partnerships with entities working to improve race relations (e.g., SLED, FBI, University of South Carolina Center for Civil Rights and Center for Creative Partnership). These partnerships enhance SCHAC’s ability to create Community Relations Councils. At the end of SFY22, work was underway to create two new Community Relations Councils, one in Sumter and one in Tega Cay.

SCHAC’s web page and social media postings are successfully maintained by the CRD, in support of the agency mission and vision, and to make the public aware of SCHAC services. Additionally, the CRD is responsible for resolving complaints in compliance with the South Carolina Public Accommodations Law. During SFY22, 28 cases were filed under Statute 1-13-90 (e) and the Public Accommodations Law. SCHAC closed 21 of those cases, with 4 closures attributable to ADR.

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(3) Equal Employment Opportunity (EEO) Intake Division

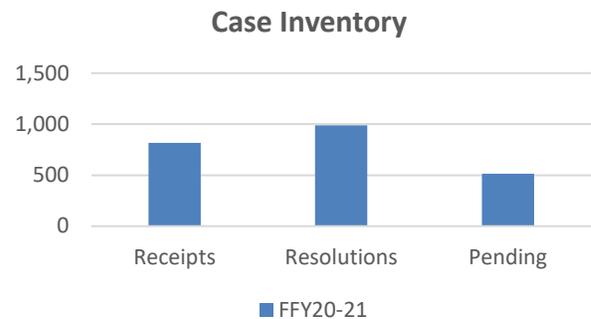
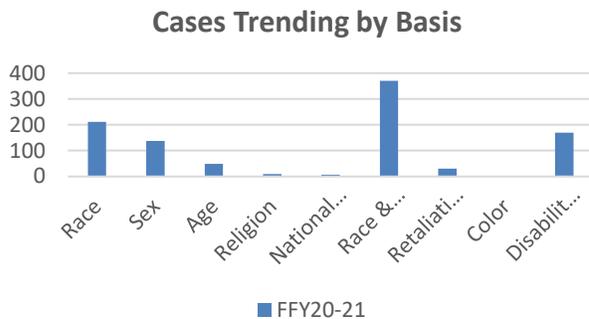
Internal restructuring of SCHAC in 2021 moved the Intake Division under Consultative Services. First contact with SCHAC (in person, by phone, correspondence, or website) originates for all program areas in the Intake Division. Intake staff, knowledgeable of SC public service providers, refer constituents to other providers where SHCAC lacks jurisdiction. Intake partnered with the Community Relations Division to provide public information related to discrimination in employment, housing, and public accommodations, as well as referral to other local/state services, in community meetings across the state. Intake staff then follow up with community members who believe they were subjected to unlawful discrimination. During FFY 2020-2021, the EEO Intake Department received approximately 5,640 contacts. In response, 793 questionnaires were mailed to citizens desiring to file discrimination charges; 1283 questionnaires were returned through U.S. mail and through on-line services; 623 formal charges of discrimination were perfected and signed by Complainants; 737 charges of discrimination were retained by SCHAC for investigation; 96 charges were waived to other agencies for investigation primarily due to lack of SCHAC jurisdiction; additionally, over the past three years the average number of cases waived to SCHAC from the EEOC has been 280 cases per year.

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

Investigations of allegations of unlawful discrimination in employment and housing are addressed in the Compliance Programs Division. The following areas of the agency contribute to the work of resolving these allegations: Equal Employment Opportunity (EEO) Investigations; Fair Housing Intake and Investigations; and Legal Services/ Mediation/Conciliations. The EEOC contract operates on the federal fiscal year. The last completed contract year as of the writing of this report is FFY 20-21 and those numbers are reflected in this report.

1) EEO Enforcement Investigations

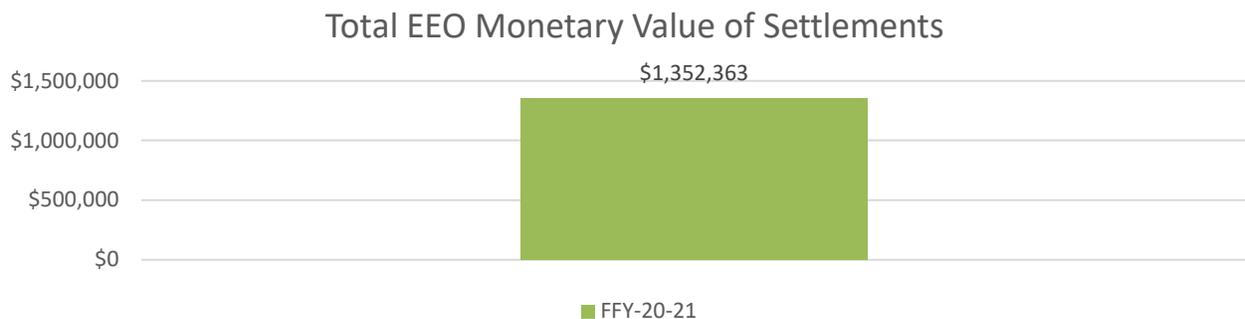
During FFY 20-21, a total of 825 employment discrimination complaints were received for investigation from the Intake Department or transferred to SCHAC from the EEOC. (Any difference in Intake and Enforcement Reporting numbers related to Intake are due to waivers to and receipts from the EEOC.) This resulted in 837 final actions taken by SCHAC, 5 of which were no credit. Of those final actions: 194 were based on race; 105 were based on sex; 135 were based on disability; 53 were based on age; 4 were based on religion; 5 were based on national origin; 23 were based on retaliation; 0 were based on color; and 318 were on multiple bases (e.g., race, sex, and retaliation, or religion and national origin). The number of final actions or closures from the previous year decreased by 50 and the pending inventory increased by 295 cases.



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Cases Trending by Basis	
	FFY 20-21
Race	194
Sex	105
Age	53
Religion	4
National Origin	5
Race & Sex/Multiple	318
Retaliation	23
Color	0
Disability/ADA	135

Final Actions or closures issued by SCHAC during federal fiscal year are: 103 Administrative Closures (including 5 closures for no credit); 621 No Cause Determinations; 98 Conciliations/Settlements. The total monetary value of settlements achieved for the charging parties was **\$1,352,363.00**. Three (3) potential "Cause Cases" were forwarded to the EEOC for additional processing, and 12 cases were closed for additional credit under other categories such as for federal class action suits.



During federal fiscal year ending September 30, 2021, SCHAC successfully completed a contract with the EEOC to investigate 825 cases, a decrease of 155 investigations from the previous EEO federal contract. This decrease can be attributed to disruptions in the workplace attributed to the pandemic, drop in the number of complaints filed nationwide for investigation, and a reduction in the number of cases SCHAC EEO Investigators are required to investigate (down from 7 to 6 monthly).

2) Fair Housing Intake and Investigations

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

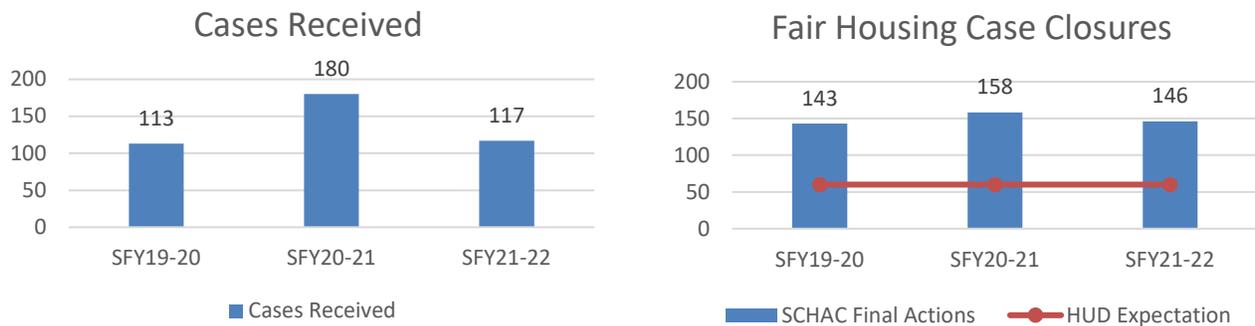
SCHAC works with the United States Department of Housing & Urban Development (HUD). Performance standards for the Fair Housing Assistance Program (FHAP) require agencies to process a "reasonable number"

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

Based on South Carolina’s population, HUD expects SCHAC to close at least 60 cases per fiscal year. During SFY22, SCHAC completed 146 cases. SCHAC has consistently exceeded performance over the past three contract years and continued this success despite the pandemic. During SFY22, the HUD revenue is estimated to be \$577,995.00, after vouchering for \$592,695.00, and \$571,395.00 during the prior two fiscal years. As a result of these successes, HUD has renewed the Memorandum of Understanding with SCHAC. This is the fifth time (five consecutive years) in the agency’s history that over 100 housing cases have been closed during the state fiscal year.

During SFY22, SCHAC received 117 new housing cases.



3) Legal, including Mediation/Conciliation

The Legal Department, which (among other functions) carries out the agency’s mission through the enforcement provisions of SCHAC’s laws, instituted 4 housing hearings related to ‘for cause’ investigations this fiscal year, 2 of which were removed to state Circuit Court at the election of a party. In employment, the legal department resolved 2 ‘for cause’ employment matters against state agencies. During the fiscal year, SCHAC received \$3,750 in civil penalties as awards obtained by the legal department in matters it resolved. In another matter, the department obtained a court order awarding SCHAC a judgment for \$6,227.46 for litigation costs.

As a result of mediation, 35 complaints were successfully resolved from a total of 74 mediations. Settlement funds from mediation totaled **\$440,700.00** during FFY 20-21. The remaining 39 cases continued to full investigation. Mediations are important because they give the charging party and the respondent an opportunity to resolve their issues and come to mutually agreed terms in settling the matter without a full investigation or court involvement.

Major Achievements in Administration:

Celebrating 50 years of existence as an agency is a major accomplishment and recognizing that achievement was an important milestone during the past fiscal year. The anniversary gave the administrative arm of the agency the

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opportunity to share with the public the services provided by SCHAC and to share with citizens the significant impact the agency made upon the State in bringing harmony, economic opportunity, and fairness to a diverse South Carolina population. SCHAC produced three short videos about the history and services of the agency, as well as took part in an hour-long ETV public broadcast on the work of the agency. The Anniversary celebration culminated by way of a Forum that highlighted how women during the past 50 years have made major employment gains, partly through the impactful work of the Technical Services Program of SCHAC. The Anniversary Forum also emphasized how state government, local government and businesses have embraced inclusivity of all people and how this achievement over the past 50 years, in part due to the work of SCHAC, has vastly improved economic development for the state, and employment opportunities for not only African Americans, but for all South Carolinians.

During SFY22, SCHAC worked to fulfill the suggested recommendation of the House Legislative Oversight Committee’s directive to improve the retention rate of employees by implementing the following: 1) completed and implemented an extensive class and compensation study, and 2) increased the salary of employees through retention pay that was in part based on the class and compensation study. In addition to the major accomplishments in program areas, additional administrative goals, strategies, and objectives achieved included: the consistent use of the EPMS on an annual universal date; monthly management meetings to review expectations and standards; increased customer awareness through the agency website, social media, and outreach; and, partnering with three federal agencies – EEOC, HUD, and DOJ. Oversight of the following administrative support functions, i.e., budgeting, accounts payable, and reporting; clean state and federal audits; human resource management; procurement; building services and maintenance; and implementation of other services, ensured the smooth daily operation of the agency.

During SFY22, SCHAC contracted with the Department of Administration’s Shared Services to assist with HR, procurement, and budgetary matters. This allowed the agency to operate with a greater level of efficiency.

Internal and External Factors Affecting SCHAC’s Performance:

Internal:

The continued effects of the Covid-19 virus impacted the agency’s operations, primarily through personnel issues. Despite Retention Funding being provided by the General Assembly for SFY22 and a Classification and Compensation Study being conducted, the Commission finds itself still experiencing high turnover, which lead to a reduction in the number of EEO cases investigated in the past year. With the “Great Resignation” that took place across the country and in State government, the Commission lost several employees who found better paying jobs in and out of state. The financial burden of hiring and training an employee to become efficient, only to lose the employee to another entity that pays more is a dilemma. To retain the current work force, SCHAC allows qualified employees to work from home; allows variable and compressed schedules to create greater work/life balance; provides financial/bonus incentives for quality work; and has a policy to allow new parents to bring their infants to work for the first six months of the newborn’s life to allow bonding between parent and child, which reduces daycare cost for families (with guidelines to prevent disruption for co-workers). While these employee retention initiatives help employees, leadership will continue to work with the General Assembly and the Governor to secure increased funding for salaries to help improve the retention of employees.

SCHAC still suffers from effects of the Great Recession of 2008. From 2008 through 2012, SCHAC laid-off more than half its employees. The Community Relations Division had no assigned staff and other areas suffered deep staff reductions. To help the agency remain operational, employees endured prolonged pay cuts and assumed additional functions. The structure and functions of the organization were realigned to accommodate the cuts. Restructuring to increase agency efficiency began in SFY21. Two FTEs were added to Community Relations, but

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three more FTEs are needed so each of the Community Relations Districts are staffed. This will allow the Community Relations Division to make a positive impact in its mission to promote harmony and mutual understanding and to properly fund “prevention” functions to secure better race relations.

External:

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

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

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

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

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

Restructuring Recommendations: At the close of the budget process for the 124th General Assembly, Proviso 117.174 required the State Human Affairs Commission and the Commission for Minority Affairs to conduct a Merger Study, due to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor by December 1, 2022.

Risk Assessment and Mitigation Strategies:

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

Internal to SCHAC:

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

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

Nature/Level of Help Needed – Department of Administration (Admin) continues its efforts to repair water leakage in the Board Room and to prevent water entering the building. Water has now entered the building basement, which adds to structural concerns for the building and health/safety concerns for employees. Admin has not addressed a complete remedy for roof repair, but only provided patch work.

General Assembly Response –

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- 1) Provide Admin with capital improvement funds to address roof problems and water intrusion problems in other areas of the building, thus mitigating water issues contributing to toxic mold, mildew, and other respiratory issues impacting the staff and the public. Resolving this issue will also prevent potential damage to office equipment and potential internal building maintenance and structural issues.
 - 2) Funds to relocate to another building due to inability to fix roof issues in timely manner and deterred maintenance associated cost.
- Office Space – SCHAC, still recovering from major financial cuts after the 2008 recession, is working to add new FTEs to maintain the proper agency operations to carry out the legislative mandate. Additional Office space is needed.

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

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

General Assembly Response – Provide funding for a new office location.

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

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

Nature/Level of Help Needed – Increased FTEs and funding

General Assembly Response –

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

Study documenting the Pro’s and Con’s to stakeholders served by both agencies, public and private sector employers, state and federal agencies, population groups and citizens.

External to SCHAC:

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

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

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

General Assembly Response –

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

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

Conclusion

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

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

SC State Government took a bold step 50 years ago to create the SC Human Affairs Commission. Fortunately, that action has assisted in the economic and social transformation that SC has achieved in modern times. This successful transformation will only continue for the next 50 years if State Government consistently prioritizes the principles on which SCHAC was founded: the belief that all people have the right to equal employment opportunities, fair housing, access to public accommodations and equal justice for all.

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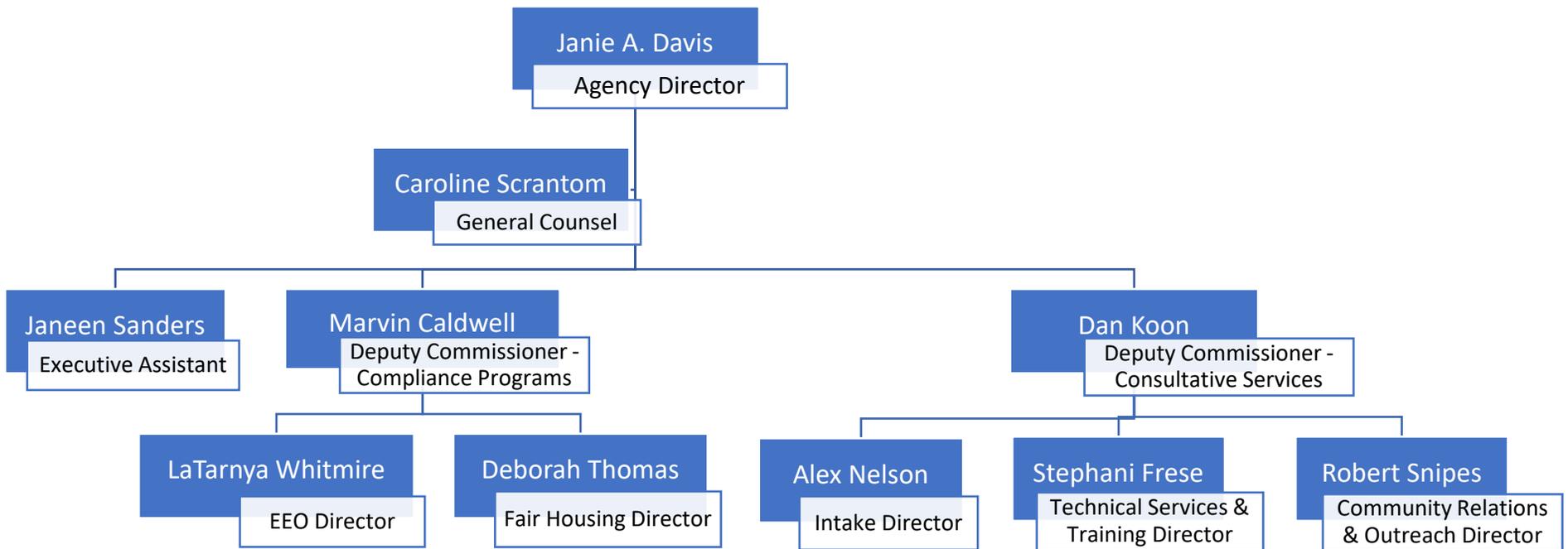
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FY2022

Reorganization and Compliance

as submitted for the Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

Primary Contact

First Name	Last Name	Role/Title	Email Address	Phone
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Secondary Contact

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

Agency Mission	Adopted in:
The Mission of the South Carolina Human Affairs Commission is to eliminate and prevent unlawful discrimination in: employment on the basis of race, color, national origin, religion, sex, age, and disability; housing on the basis of race, color, national origin, religion, sex, familial status, and disability; and public accommodations on the basis of race, color, national origin, and religion thereby promoting harmony and the betterment of human affairs for all people.	2020

Agency Vision	Adopted in:
The South Carolina Human Affairs Commission's Vision is to be well known statewide and nationally, with a positive image and a mission that is understood and accepted by the public. SCHAC is a fully resourced, customer-friendly agency with a diverse, well-trained and efficient team working together effectively in a safe and supportive work environment in fulfillment of the agency's mission.	2020

Recommendations for reorganization requiring legislative change:
None

Agency intentions for other major reorganization to divisions, departments, or programs to allow the agency to operate more effectively and efficiently in the succeeding fiscal year:
None

Significant events related to the agency that occurred in FY2022

Description of Event	Start	End	Agency Measures Impacted	Other Impacts
50th Anniversary and Public Relations Initiative	March	June	Number of Outreach Opportunities each SFY - Public	
Community Relations Revitalization	October	June	Number of Outreach Opportunities each SFY - Public	
Reorganization - Implementation of two Program Deputies	July	June	Number of Outreach Opportunities each SFY - Public	
Class and Comp Study	July	June	Improve the efficiency of the Commission by decreasing the Employee Turnover Rate	
Use of Admin Shared Services	October	June	Ensure adherence to all Generally Accepted Accounting Principles (GAAP) by successfully completing the State audit with minimal audit exceptions	

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

Reason agency is out of compliance: (if applicable)

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

Does the law allow the agency to promulgate regulations?	Yes
	Yes

Law number(s) which gives the agency the authority to promulgate regulations:	S.C. Code Ann. §§1-13-70(c); 31-21-100(1); 45-9-110	
Has the agency promulgated any regulations?	Yes	
Is the agency in compliance with S.C. Code Ann. § 1-23-120 (J), which requires an agency to conduct a formal review of its regulations every five years?	Yes	
(End of Reorganization and Compliance Section)		

FY2022

Strategic Plan Results

as submitted for the Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

- Goal 1** Enhance the reputation of the State as a diverse and inclusive community by preventing discrimination through training, outreach and community relations
- Goal 2** Eliminate Employee Discrimination through Enforcement of the Human Affairs Law
- Goal 3** Eliminate Housing Discrimination through Enforcement of the Fair Housing Law
- Goal 4** Increase the efficiencies and effectiveness of the Commission through training and employee retention

Perf. Measure Number	Description	Base	Target	Actual	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Stakeholder Need Satisfied	Primary Stakeholder	State Funded Program Number Responsible	Notes
1.1 Train stakeholders to prevent discrimination State Objective: Maintaining Safety, Integrity and Security														
1.1.1	Number of External Training Attendees - Housing	331	257	1315	Count	Equal to or greater than	State fiscal year	Count of attendees	SCHAC Activity Reports - Monthly	Housing Enforcement	Education of the law and housing provider obligations.	Industry	1000.000000.000; 9500.050000.000; 9816.060000000	
1.1.2	Number of External Training Attendees - Employment	1765	1500	2845	Count	Equal to or greater than	State fiscal year	Count of attendees	SCHAC Activity Reports - Monthly	Technical Services and Training	Education of the law and their employment obligations.	Industry	0502.000000.000; 9818.070000000; 9500.050000.000; 9816.060000000	
1.1.3	Invitations to provide additional training to agencies/businesses by referral within State Fiscal Year	18	12	28	Count	Equal to or greater than	State fiscal year	Count of invitations	SCHAC Activity Reports - Monthly	Technical Services and Training	Education of the law and employment obligations.	Industry	0502.000000.000; 9818.070000000; 9500.050000.000; 9816.060000000	
1.2 Conduct a computer analysis of each Agency's hiring and promotion practices. State Objective: Maintaining Safety, Integrity and Security														
1.2.1	95% of required State agencies meet 70% of their employment goals for minorities and women based on availability estimates of the qualified labor pool	97%	95%	97%	Percent	Equal to or greater than	State fiscal year	CAAMS	Annual Report to General Assembly	CAAMS	Status of EEO in State Govt	General Assembly	0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000	
1.2.2	Provide technical assistance to 100% of Agencies requiring assistance with goal attainment in their Affirmative Action Plans	100%	100%	100%	Percent	Equal to or greater than	State fiscal year	Number of agencies requesting assistance / Responses to agencies	SCHAC Activity Reports - Monthly	CAAMS	Monitoring of EEO in State Govt and AAPs.	State Agencies	0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000	
1.2.3	Monitor 100% of Agencies who have not met the State goal attainment for Affirmative Action Plans	100%	100%	100%	Percent	Equal to or greater than	State fiscal year	Number of non-compliant agencies assisted / Number of non-compliant agencies	SCHAC Activity Reports - Monthly	CAAMS; SCHAC database	AAP feedback	State Agencies	0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000;	
1.3 Provide outreach and community relations opportunities to promote the Agency's mission across the State State Objective: Maintaining Safety, Integrity and Security														
1.3.1	Number of Outreach Opportunities each SFY - Public	3341	1221	16662	Count	Equal to or greater than	State fiscal year	Count of opportunities	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000	Increased use of media and social media outlets to increase public awareness of agency services.
1.3.2	Number of Outreach Opportunities each SFY - Professionals	36,409.00	328.00	57,611.00	Count	Equal to or greater than	State fiscal year	Count of opportunities	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000	Increased Reach of Agency Publications
1.3.3	Number of clicks to agency website links received through media advertisements	8495	1716	411	Count	Equal to or greater than	State fiscal year	Count of clicks	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000	Decreased paid advertisements with CTR data during SFY22, focusing on rural areas. Focused on other public awareness efforts.
2.1 Implement an efficient processing system for Employment discrimination complaints State Objective: Maintaining Safety, Integrity and Security														
2.1.1	Close 80% of carried forward inventory and cases received in previous FFY	95%	80%	91%	Percent	Equal to or greater than	Federal fiscal year	Cases Closed / (Pending Inventory + Cases Received)	Compliance Program Monthly Activity Report	IMS - EEO Enforcement	Resolution of Complaint	Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	

Perf. Measure Number	Description	Base	Target	Actual	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Stakeholder Need Satisfied	Primary Stakeholder	State Funded Program Number Responsible	Notes
2.1.2	95% or more of closures initially accepted by the EEOC during the FFY	100%	95%	100%	Percent	Equal to or greater than	Federal fiscal year	Cases Initially Accepted by EEOC / Cases Closed	Compliance Program Monthly Activity Report	IMS - EEO Enforcement	Resolution of Complaint	EEOC, Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	
2.2 Enforce compliance with agreements/settlements and legal orders through monitoring		State Objective: Maintaining Safety, Integrity and Security												
2.2.1	Review 100% of agreements/settlements annually	100%	100%	100%	Percent	Equal to or greater than	State fiscal year	Number reviewed / Number of orders	SCHAC Activity Reports - Monthly	Legal	Resolution of Complaint	Charging Parties, Respondents, and General Public	1000.000000.000; 9500.050000.000; 9801.030000.000	
2.2.2	Review 100% of legal orders annually	100%	100%	100%	Percent	Equal to or greater than	State fiscal year	Number reviewed / Number of orders	SCHAC Activity Reports - Monthly	Administrative	Resolution of Complaint	Charging Parties or Respondents and General Public	0100.000000.000; 9500.050000.000; 9801.030000.000	
2.2.3	Enforce 100% of legal orders against respondents who fail to comply, as needed	100%	100%	100%	Percent	Equal to or greater than	State fiscal year	Number of enforcements / Number of orders	SCHAC Activity Reports - Monthly	Legal	Resolution of Complaint	Charging Parties and General Public	0100.000000.000; 9500.050000.000; 9801.030000.000	
2.3 Encourage conciliated resolutions between charging parties and respondents		State Objective: Maintaining Safety, Integrity and Security												
2.3.1	Utilize the mediators for 10% of our employment cases	12%	10%	8%	Percent	Equal to or greater than	Federal fiscal year	Number held / Number Closed	Mediation Monthly Report	Legal	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000	It is the parties who select whether mediation is to occur or not. SCHAC encourages ADR at all stages.
2.3.2	Employment Investigators negotiate settlement for 10% of their employment cases	14%	10%	8%	Percent	Equal to or greater than	Federal fiscal year	Cases Settled by Employment Investigators / Cases Completed	Compliance Program State Report and Mediation Report	EEO Enforcement	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000	Efforts are made to negotiate a settlement for every case, but the parties have final say.
2.3.3	Mediators have a 50% success rate for mediations scheduled	65%	50%	47%	Percent	Equal to or greater than	State fiscal year	Successful / Held	Mediation Monthly Report	Legal	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000	SCHAC successfully resolved 35 of 74 complaints eligible for mediation. Agreement to engage in mediation does not guarantee resolution through ADR, as the parties have final say.
3.1 Implement an efficient processing system for Housing discrimination complaints		State Objective: Maintaining Safety, Integrity and Security												
3.1.1	Close 80% of cases received in prior SFY	99%	80%	90%	Percent	Equal to or greater than	State fiscal year	Cases Closed / Cases Received	Status of Fair Housing Complaint Activity Report	HEMS- Housing Enforcement	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000	
3.1.2	85% or more of closures accepted by HUD during the SFY	91%	85%	96%	Percent	Equal to or greater than	State fiscal year	Cases Accepted by HUD / Cases Closed	Status of Fair Housing Complaint Activity Report	HEMS- Housing Enforcement	Resolution of Complaint	HUD	1000.000000.000; 9500.050000.000; 9801.030000.000	
3.2 Promote settlements/agreements and ensure compliance with settlements/agreements through monitoring		State Objective: Maintaining Safety, Integrity and Security												
3.2.1	Conciliate more than 20% of Housing cases	20%	20%	13%	Percent	Equal to or greater than	State fiscal year	Cases Conciliated / Cases Closed	Status of Fair Housing Complaint Activity Report	HEMS- Housing Enforcement	Resolution of Complaint	Charging Parties, Respondents, Attorneys and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000	Efforts are made to negotiate a settlement for every case, but the parties have final say.
3.2.2	Review 100% of conciliations annually and audit respondents	100%	100%	100%	Percent	Equal to or greater than	State fiscal year	Number of conciliations / Monthly audits	Housing	Housing Enforcement	Ensure compliance	Charging Parties and General Public	0100.000000.000; 9500.050000.000; 9801.030000.000	
4.1 Increase the efficiencies of the Employment Enforcement Division		State Objective: Education, Training, and Human Development												
4.1.1	Number of Internal Training Attendees - Employment	249	326	257	Count	Equal to or greater than	Federal fiscal year	Count of attendees	Sign in sheets/HR records	EEO Enforcement	Proficient employees	Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	The number was created with having a full staff in mind. The "Great Resignation", low applicant pool, and other hiring issues left us understaffed and unable to meet this criteria.

Perf. Measure Number	Description	Base	Target	Actual	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Stakeholder Need Satisfied	Primary Stakeholder	State Funded Program Number Responsible	Notes
4.1.2	Decrease the average charge age to improve processing times. (Employment Enforcement Division)	208	180	N/A	Count	Equal to or greater than	Federal fiscal year	ARC	EEOC Pending Inventory Report	IMS - EEO Enforcement	Timeliness of complaints for legal filings	Charging Parties and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	A new EEOC reporting system (ARC) does not currently provide data needed for SCHAC to evaluate this measure. While this system is outside of SCHAC's control, the information has been requested. We will keep this measure in place should the data become available.
4.2 Increase the efficiencies of the Fair Housing Division		State Objective: Education, Training, and Human Development												
4.2.1	Number of Internal Training Attendees - Housing	83	60	84	Count	Equal to or greater than	State fiscal year	Count of attendees	Sign in sheets	Housing Enforcement	Proficient employees	Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	
4.2.2	Decrease the average charge age to improve processing times. (Fair Housing Division)	139	100	191	Count	Equal to or less than	State fiscal year	HEMS	HEMS	HEMS- Housing Enforcement	Timeliness of complaints for legal filings	Charging Parties and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	The "Great Resignation", low applicant pool, and other hiring issues left us understaffed with fewer seasoned investigators.
4.3 Increase the effectiveness and efficiency of the Commission through employee retention and successful audit reviews		State Objective: Education, Training, and Human Development												
4.3.1	Improve the efficiency of the Commission by decreasing the Employee Turnover Rate	15%	5%	22%	Percent	Equal to or less than	State fiscal year	Number of Employees Leaving Commission / FTE's	Quarterly Human Resources Update for Board	Human Resources	Maintains proficient employees, reducing inefficiencies	General Public, Charging Parties, Respondents, and Attorneys	0100.000000.000; 9500.050000.000; 9801.030000.000	Contributing factors were the "Great Resignation", lack of competitive salaries with public/private sector, and movement of employees to other states.
4.3.2	Ensure adherence to all Generally Accepted Accounting Principles (GAAP) by successfully completing the State audit with minimal audit exceptions	3	0	1	Count	Equal to or less than	State fiscal year	Count of exceptions	Audit report from the Office of State Auditors	Finance/Administration	Agency proficiency	General Public	0100.000000.000; 9500.050000.000; 9801.030000.000	Minor finding addressed.

FY2023

Strategic Plan Development

as submitted for the Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

- Goal 1** Enhance the reputation of the State as a diverse and inclusive community by preventing discrimination through training, outreach and community relations
- Goal 2** Eliminate Employee Discrimination through Enforcement of the Human Affairs Law
- Goal 3** Eliminate Housing Discrimination through Enforcement of the Fair Housing Law
- Goal 4** Increase the efficiencies and effectiveness of the Commission through training and employee retention

Perf. Measure Number	Description	Base	Target	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Stakeholder Need Satisfied	Primary Stakeholder	State Funded Program Number Responsible	Notes	
1.1 Train stakeholders to prevent discrimination													State Objective: Maintaining Safety, Integrity and Security	
1.1.1	Number of External Training Attendees - Housing	1315	257	Count	Equal to or greater than	State Fiscal Year	Count of attendees	SCHAC Activity Reports - Monthly	Housing Enforcement	Education of the law and housing provider obligations.	Industry	1000.000000.000; 9500.050000.000; 9816.060000000		
1.1.2	Number of External Training Attendees - Employment	2845	1500	Count	Equal to or greater than	State Fiscal Year	Count of attendees	SCHAC Activity Reports - Monthly	Technical Services and Training	Education of the law and their employment obligations.	Industry	0502.000000.000; 9818.070000000; 9500.050000.000; 9816.060000000		
1.1.3	Invitations to provide additional training to agencies/businesses by referral within State Fiscal Year	28	12	Count	Equal to or greater than	State Fiscal Year	Count of invitations	SCHAC Activity Reports - Monthly	Technical Services and Training	Education of the law and employment obligations.	Industry	0502.000000.000; 9818.070000000; 9500.050000.000; 9816.060000000		
1.2 Conduct a computer analysis of each Agency's hiring and promotion practices.													State Objective: Maintaining Safety, Integrity and Security	
1.2.1	95% of required State agencies meet 70% of their employment goals for minorities and women based on availability estimates of the qualified labor pool	97%	95%	Percent	Equal to or greater than	State Fiscal Year	CAAMS	Annual Report to General Assembly	CAAMS	Status of EEO in State Govt	General Assembly	0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000		
1.2.2	Provide technical assistance to 100% of Agencies requiring assistance with goal attainment in their Affirmative Action Plans	100%	100%	Percent	Equal to or greater than	State Fiscal Year	Number of agencies requesting assistance / Responses to agencies	SCHAC Activity Reports - Monthly	CAAMS	Monitoring of EEO in State Govt and AAPs.	State Agencies	0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000		
1.2.3	Monitor 100% of Agencies who have not met the State goal attainment for Affirmative Action Plans	100%	100%	Percent	Equal to or greater than	State Fiscal Year	Number of non-compliant agencies assisted / Number of non-compliant agencies	SCHAC Activity Reports - Monthly	CAAMS; SCHAC database	AAP feedback	State Agencies	0502.000000.000; 9801.030000.000; 9500.050000.000; 9816.060000000;		
1.3 Provide outreach and community relations opportunities to promote the Agency's mission across the State													State Objective: Maintaining Safety, Integrity and Security	
1.3.1	Number of Outreach Opportunities each SFY - Public	4758	1221	Count	Equal to or greater than	State Fiscal Year	Count of opportunities	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000		
1.3.2	Number of Outreach Opportunities each SFY - Professionals	57611	328	Count	Equal to or greater than	State Fiscal Year	Count of opportunities	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000		
1.3.3	Number of clicks to agency website links received through media advertisements	411	500	Count	Equal to or greater than	State Fiscal Year	Count of clicks	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000		
1.3.4	Social media reach	0	10,000	0	0	0	0	0	0	0	0	0		

Perf. Measure Number	Description	Base	Target	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Stakeholder Need Satisfied	Primary Stakeholder	State Funded Program Number Responsible	Notes	
1.3.5	Number of Outreach Events each SFY - Public	0	20	Count	Equal to or greater than	State Fiscal Year	Count of Events	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000		
1.3.6	Number of Outreach Events each SFY - Professionals	0	20	Count	Equal to or greater than	State Fiscal Year	Count of Events	SCHAC Activity Reports - Monthly	Consultative Services	Education and Awareness	General Public and Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000		
1.3.7	Increase the number of structured advisory councils throughout the state	0	2	Count	Equal to or greater than	State Fiscal Year	Number of councils formed within SFY	List of charters/MOUs	Community Relations Division	Education and Awareness	General Public	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000		
1.3.8	Increase the number of collaborative partnerships.	0	3	Count	Equal to or greater than	State Fiscal Year	Number of relationships developed that support Community Relations goals	Collaborative agendas, meeting agendas, and other documentation	Community Relations Division	Education and Awareness	General Public, Federal Agencies, State Agencies, Industry	0502.000000.000; 9816.060000000; 9500.050000.000; 9801.030000.000; 9818.070000000		
2.1	Implement an efficient processing system for Employment discrimination complaints							State Objective: Maintaining Safety, Integrity and Security						
2.1.1	Close 80% of carried forward inventory and cases received in previous FFY	91%	95%	Percent	Equal to or greater than	Federal Fiscal Year	Cases Closed / (Pending Inventory + Cases Received)	Compliance Program Monthly Activity Report	ARC - EEO Enforcement	Resolution of Complaint	Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000		
2.1.2	95% or more of closures initially accepted by the EEOC during the FFY	100%	100%	Percent	Equal to or greater than	Federal Fiscal Year	Cases Initially Accepted by EEOC / Cases Closed	Compliance Program Monthly Activity Report	ARC - EEO Enforcement	Resolution of Complaint	EEOC, Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000		
2.2	Enforce compliance with agreements/settlements and legal orders through monitoring							State Objective: Maintaining Safety, Integrity and Security						
2.2.1	Review 100% of agreements/settlements annually	100%	100%	Percent	Equal to or greater than	State Fiscal Year	Number reviewed / Number of orders	SCHAC Activity Reports - Monthly	Legal	Resolution of Complaint	Charging Parties, Respondents, and General Public	1000.000000.000; 9500.050000.000; 9801.030000.000		
2.2.2	Review 100% of legal orders annually	100%	100%	Percent	Equal to or greater than	State Fiscal Year	Number reviewed / Number of orders	SCHAC Activity Reports - Monthly	Administrative	Resolution of Complaint	Charging Parties or Respondents and General Public	0100.000000.000; 9500.050000.000; 9801.030000.000		
2.2.3	Enforce 100% of legal orders against respondents who fail to comply, as needed	100%	100%	Percent	Equal to or greater than	State Fiscal Year	Number of enforcements / Number of orders	SCHAC Activity Reports - Monthly	Legal	Resolution of Complaint	Charging Parties and General Public	0100.000000.000; 9500.050000.000; 9801.030000.000		
2.3	Encourage conciliated resolutions between charging parties and respondents							State Objective: Maintaining Safety, Integrity and Security						
2.3.1	Utilize the mediators for 10% of our employment cases	8%	10%	Percent	Equal to or greater than	Federal Fiscal Year	Number held / Number Closed	Mediation Monthly Report	Legal	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000		
2.3.2	Employment Investigators negotiate settlement for 10% of their employment cases	8%	10%	Percent	Equal to or greater than	Federal Fiscal Year	Cases Settled by Employment Investigators / Cases Completed	Compliance Program State Report and Mediation Report	EEO Enforcement	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000		
2.3.3	Mediators have a 50% success rate for mediations scheduled	47%	50%	Percent	Equal to or greater than	State Fiscal Year	Successful / Held	Mediation Monthly Report	Legal	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000		
3.1	Implement an efficient processing system for Housing discrimination complaints							State Objective: Maintaining Safety, Integrity and Security						
3.1.1	Close 80% of cases received in SFY 2019-20	90%	80%	Percent	Equal to or greater than	State Fiscal Year	Cases Closed / Cases Received	Status of Fair Housing Complaint Activity Report	HEMS- Housing Enforcement	Resolution of Complaint	Charging Parties, Respondents, Attorneys, and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000		

Perf. Measure Number	Description	Base	Target	Value Type	Desired Outcome	Time Applicable	Calculation Method	Data Source	Data Location	Stakeholder Need Satisfied	Primary Stakeholder	State Funded Program Number Responsible	Notes
3.1.2	85% or more of closures accepted by HUD during the SFY	96%	85%	Percent	Equal to or greater than	State Fiscal Year	Cases Accepted by HUD / Cases Closed	Status of Fair Housing Complaint Activity Report	HEMS- Housing Enforcement	Resolution of Complaint	HUD	1000.000000.000; 9500.050000.000; 9801.030000.000	
3.2 Promote settlements/agreements and ensure compliance with settlements/agreements through monitoring						State Objective: Maintaining Safety, Integrity and Security							
3.2.1	Conciliate more than 20% of Housing cases	13%	20%	Percent	Equal to or greater than	State Fiscal Year	Cases Conciliated / Cases Closed	Status of Fair Housing Complaint Activity Report	HEMS- Housing Enforcement	Resolution of Complaint	Charging Parties, Respondents, Attorneys and Legal System	1000.000000.000; 9500.050000.000; 9801.030000.000	
3.2.2	Review 100% of conciliations annually and audit respondents	100%	100%	Percent	Equal to or greater than	State Fiscal Year	Number of conciliations / Monthly audits	Housing	Housing Enforcement	Ensure compliance	Charging Parties and General Public	0100.000000.000; 9500.050000.000; 9801.030000.000	
4.1 Increase the efficiencies of the Employment Enforcement Division						State Objective: Education, Training, and Human Development							
4.1.1	Number of Internal Training Attendees - Employment	218	200	Count	Equal to or greater than	Federal Fiscal Year	Count of attendees	Sign in sheets/HR records	EEO Enforcement	Proficient employees	Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	
4.1.2	Decrease the average charge age to improve processing times. (Employment Enforcement Division)	N/A	180	Count	Equal to or less than	Federal Fiscal Year	ARC	EEOC Pending Inventory Report	ARC - EEO Enforcement	Timeliness of complaints for legal filings	Charging Parties and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	
4.2 Increase the efficiencies of the Fair Housing Division						State Objective: Education, Training, and Human Development							
4.2.1	Number of Internal Training Attendees - Housing	84	60	Count	Equal to or greater than	State Fiscal Year	Count of attendees	Sign in sheets	Housing Enforcement	Proficient employees	Charging Parties, Respondents, and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	
4.2.2	Decrease the average charge age to improve processing times. (Fair Housing Division)	191	100	Count	Equal to or less than	State Fiscal Year	HEMS	HEMS	HEMS- Housing Enforcement	Timeliness of complaints for legal filings	Charging Parties and Attorneys	1000.000000.000; 9500.050000.000; 9801.030000.000	
4.3 Increase the effectiveness and efficiency of the Commission through employee retention and successful audit reviews						State Objective: Education, Training, and Human Development							
4.3.1	Improve the efficiency of the Commission by decreasing the Employee Turnover Rate	22%	15%	Percent	Equal to or less than	State Fiscal Year	Number of Employees Leaving Commission / FTE's	Quarterly Human Resources Update for Board	Human Resources	Maintains proficient employees, reducing inefficiencies	General Public, Charging Parties, Respondents, and Attorneys	0100.000000.000; 9500.050000.000; 9801.030000.000	
4.3.2	Ensure adherence to all Generally Accepted Accounting Principles (GAAP) by successfully completing the State audit with minimal audit exceptions	1	0	Count	Equal to or less than	State Fiscal Year	Count of exceptions	Audit report from the Office of State Auditors	Finance/Administration	Agency proficiency	General Public	0100.000000.000; 9500.050000.000; 9801.030000.000	
4.3.3	Ensure adherence with Department of Administration guidelines	100%	100%	Percent	Equal to or greater than	State Fiscal Year	square footage per staff allocation	Admin Services - Office of Facility Management	Admin Services - Office of Facility Management	0	General Public, Staff and Board	0100.000000.000; 9500.050000.000; 9801.030000.000	

FY2022

Budget Data

as submitted for the Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

State Funded Program No.	State Funded Program Title	Description of State Funded Program	(Actual) General	(Actual) Other	(Actual) Federal	(Actual) Total	(Projected) General2	(Projected) Other	(Projected) Federal4	(Projected) Total
0100.000000.000	Administration	CAO; Legal; Administrative Manager (HR and Procurement);	\$ 729,541.08	\$ -	\$ -	\$ 729,541.08	\$ 854,347.00	\$ -	\$ -	\$ 854,347.00
0502.000000.000	Consultative Services	Technical Services and Training; Community Relations	\$ 672,809.96	\$ 750.00	\$ -	\$ 673,559.96	\$ 722,841.00	\$ -	\$ -	\$ 722,841.00
1000.000000.000	Compliance Programs	Fair Housing Enforcement; EEO Enforcement	\$ 721,207.78	\$ 384,830.75	\$ 301,250.05	\$ 1,407,288.58	\$ 891,679.00	\$ 499,275.00	\$ 301,346.00	\$ 1,692,300.00
9500.050000.000	State Employer Contributions	Employee Benefits (Retirement, Workers Comp, Unemployment Insurance taxes, etc.)	\$ 641,951.02	\$ 142,561.12	\$ 89,444.61	\$ 873,956.75	\$ 775,000.00	\$ 204,000.00	\$ 103,000.00	\$ 1,082,000.00
9801.030000.000	Information Technology Upgrades	IT Upgrades	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,354.49	\$ -	\$ 20,354.49
9818.070000X000	SC Pregnancy Accommodations Act Training - Act 244	Provide training to businesses to inform them of their legal obligations under SCPAA.	\$ -	\$ -	\$ -	\$ -	\$ 59,609.23	\$ -	\$ -	\$ 59,609.23

FY2022

Legal Data

as submitted for the Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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 Agency enforcement of a subpoena. Provides clarity on the Administrative Hearing process. Explains the confidential nature of the file and gives guidance to the Agency regarding the production of file contents when requested by parties to the investigation or others.	Requires a service	Adjudication of discrimination investigations	No Change
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 any complaint filed against a State agency or any other jurisdictional employer, labor organization, or employment agency. Empowers the Agency to conciliate a charge of discrimination. Provides processes and timelines for when parties shall respond to requests for information from the Agency. Establishes the procedures for holding hearings following the investigation process in employment matters filed against a State agency when a reasonable cause determination is issued. Requires that the Chairman designate a panel to hear the matter pursuant to the unlawful practices in Section 1-13-80 or 1-13-85, and based on the practices found in the Administrative Procedures Act of South Carolina. An Order must be issued from the Panel following the conclusion of the hearing, either finding in favor of the complaining party and awarding damages or injunctive relief, or dismissing the matter pending against the respondent state agency. This section further establishes the Commission's right to bring an action in circuit court for discriminatory employment practices. The law also provides recourse for a complainant who is issued a notice of right to sue following the dismissal of a charge.	Requires a service	Adjudication of discrimination investigations	No Change
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. Explains that a complainant does not need to exhaust an administrative remedy through the Human Affairs Commission prior to filing a lawsuit in civil court. States that relief in a matter brought under the Fair Housing Law may include any permanent or temporary injunction, temporary restraining order, or other order, and may award the plaintiff actual damages, and punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing party.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a manner of delivery		No Change
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.	Board, commission, or committee on which someone from our agency must/may serve		No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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 Discrimination in Employment Act of 1967, as amended, 29 U. S. C. Section 621 et seq.; or that violate the Americans with Disabilities Act of 1990, as amended, Public Law 101-336.	Requires a manner of delivery		No Change
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 State agency has not satisfactorily complied with meeting its Affirmative Action goals.	Report our agency must/may provide		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
1-13-50. Commissioner and personnel.	State	Statute	Guides the Commission Board on selection of an Agency Head and additional staff.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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 chapter; (4) the authority to formulate policies to effectuate the purposes of this chapter and to make recommendations to appropriate parties in furtherance of such policies; (5) the ability to obtain and utilize upon request the services of all governmental departments and agencies; (6) the ability to create or recognize community councils to promote the Agency's mission; (7) the ability to work with the EEOC and accept reimbursement from it; (8) the ability to investigate charges of discrimination; (9) the ability to hold hearings following an investigation; and (10) the ability to petition for an order of a court of competent jurisdiction requiring compliance with an order issued by the Commission pursuant to the procedure set forth in item (16) of subsection (c) of Section 1-13-90; (11) the ability to accept grants, bequests, or donations; (12) and the ability to institute proceedings in a court of competent jurisdiction, for cause shown, to prevent or restrain any person from violating any provision of the chapter.	Requires a service	Adjudication of discrimination investigations	No Change
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. Commands the Commission to develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment agencies, and applicants for employment about their rights and responsibilities.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a manner of delivery		No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
117.13(GP: Discrimination Policy)	State	Proviso	Reaffirms the State's discrimination policy and describes the details required to be included in the Commission's report on State Agency Affirmative Action Plans and Programs.	Report our agency must/may provide		No Change
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 studies with respect to the nature and extent discriminatory fair housing practices; (3) the ability to work with the U.S. Department of Housing and Urban Development or another organizations and accept reimbursement from it; (4) the ability to accept gifts or bequests; and (5) the ability to institute proceedings in a court of competent jurisdiction, for cause shown, to seek appropriate temporary or preliminary injunctive relief pending final administrative disposition of a complaint.	Requires a service	Adjudication of discrimination investigations	No Change
31-21-110. Investigations by commission; subpoenas.	State	Statute	Establishes the Commission's investigatory power and the power to issue subpoenas.	Requires a service	Adjudication of discrimination investigations	No Change
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 an extension or delay. States that an investigation will end if a court action is filed regarding the matter.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a service	Adjudication of discrimination investigations	No Change
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 Insurance Corporation of the Federal Reserve System, the United States Department of Housing and Urban Development, or any other agency with authority to investigate and resolve complaints alleging a violation of this chapter in order to prevent duplicate complaints.	Requires a service	Adjudication of discrimination investigations	No Change
31-21-20. State policy.	State	Statute	Establishes the State policy to provide fair housing throughout the State.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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, national origin, religion, gender, disability, or familial status).	Requires a manner of delivery		No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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 transaction, or in the terms or conditions of the transaction, because of race, color, religion, sex, handicap, familial status, or national origin.	Requires a manner of delivery		No Change
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, a failure to permit a modification, or non-compliance with ANSI requirements for accessible design.	Requires a manner of delivery		No Change
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, determining, ordering, certifying, reporting.	Requires a service	Adjudication of discrimination investigations	No Change
41-1-130.	State	Statute	Requires employers to make reasonable efforts to provide workers with reasonable unpaid break time and space to express milk at work.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a manner of delivery		No Change
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."	Requires a manner of delivery		No Change
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.	Not related to agency deliverable		No Change
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.	Requires a service		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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, Agency Chairman informs AG. After the AG brings an action, Agency panel will conduct a hearing on the matter on the allegations presented. If a license revocation proceeding is initiated, a separate Commission panel will conduct the hearing.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a service	Adjudication of discrimination investigations	No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a manner of delivery		No Change
45-9-85. Penalty for violating confidentiality provisions.	State	Statute	Violators of confidentiality provisions in 42-9-60 subject to fine or imprisonment.	Requires a manner of delivery		No Change
45-9-90. Penalty for violating provisions of Article 1.	State	Statute	Violators of Article 1 subject to misdemeanor conviction along with fine and/or imprisonment.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
65-10 Certification.	State	Regulation	Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission.	Requires a manner of delivery		No Change
65-11 Availability of Rules.	State	Regulation	Establishes that the Agency should have the rules and regulations available to the public at its office.	Report our agency must/may provide		No Change
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.	Requires a manner of delivery		No Change
65-13 General Investigations.	State	Regulation	Establishes that the Agency may, in its discretion, conduct general investigations of discrimination.	Requires a manner of delivery		No Change
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 may be amended and further guides the Agency on when a complaint should be dismissed.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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 financial assistance; and in the selling, brokering, or appraising of residential real property.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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 that person having aided or encouraged enjoyment of, any right granted or protected by this section.	Requires a manner of delivery		No Change
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 served by the Agency. Allows a respondent to answer the complaint.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a service	Adjudication of discrimination investigations	No Change
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 investigator to disclose final conclusions in a report to be made available to the parties.	Requires a service	Adjudication of discrimination investigations	No Change
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 specific times when conciliation efforts may be terminated. Makes conciliation efforts confidential, but provides that an agreement reached is public.	Requires a service	Adjudication of discrimination investigations	No Change
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 determination. Allows a party to elect to have the matter heard in a civil action in Common Pleas rather than through the administrative hearing before a panel of the Board of Commissioners.	Requires a service	Adjudication of discrimination investigations	No Change
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 Commissioner in furthering the purposes of Fair Housing.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Not related to agency deliverable		No Change
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 maintaining filed documents.	Requires a service	Adjudication of discrimination investigations	No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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. Provides that a Commissioner may be disqualified and, may either withdraw himself, or may be withdrawn upon motion of party. Forbids ex parte communications.	Requires a service	Adjudication of discrimination investigations	No Change
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, and the Commission. Requires that parties and others at the proceedings act with integrity and in an ethical manner.	Requires a service	Adjudication of discrimination investigations	No Change
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 the Chief Hearing Officer to permit supplemental pleadings or amendments to pleadings, and gives him the right to require oral arguments on motions, and to issue subpoenas among other powers.	Requires a service	Adjudication of discrimination investigations	No Change
65-234 Dismissal and Decisions.	State	Regulation	Requires that an administrative proceeding be dismissed if a separate suit is filed as a civil action.	Requires a service	Adjudication of discrimination investigations	No Change
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 the exclusion of certain evidence. States that the hearing shall be recorded and requires that an Order be issued and filed following the hearing's conclusion. Allows parties to request a reconsideration of an Order, and states that the hearing transcript will be made available after the hearing's conclusion. Explains the process by which a party may appeal the Order and states the way the Commission can seek enforcement of its Order.	Requires a service	Adjudication of discrimination investigations	No Change
65-236 Certification.	State	Regulation	Authorizes and empowers the Chairman or Agency Head to certify documents or records of the Commission.	Requires a manner of delivery		No Change
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.	Requires a service	Adjudication of discrimination investigations	No Change
65-24 Notices to be Posted.	State	Regulation	Requires that employers shall post, keep posted, and maintained in conspicuous places upon their premises where notices to employees and applicants for employment are customarily posted a notice to be prepared and distributed by the Commission of the Human Affairs Law, and information pertinent to the filing of a complaint.	Report our agency must/may provide		No Change
65-240 Purpose.	State	Regulation	States that the purpose of the regulation is to assist advertising media and agencies.	Not related to agency deliverable		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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 affected by pregnancy, childbirth, or related medical conditions	Requires a manner of delivery		No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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).	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a manner of delivery		No Change
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.	Requires a service	Conciliation of discrimination investigations	No Change
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 unlawful employment practice has occurred or is occurring, and provided conciliation efforts have failed.	Requires a service	Adjudication of discrimination investigations	No Change
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.	Requires a service	Adjudication of discrimination investigations	No Change
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 violation of the Human Affairs Law.	Requires a service	Adjudication of discrimination investigations	No Change
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 to file civil action following the Agency's issuance of a notice of right to sue.	Requires a service	Adjudication of discrimination investigations	No Change
70.1 (HAC: Human Affairs Forum Carry Forward)	State	FY22-23 Proviso	States that revenue from donations and registration fees from Forums shall be retained and carried forward for general operations.	Funding agency deliverable(s)	70.1	No Change
70.2 (HAC: Training Revenue)	State	FY22-23 Proviso	States that revenue from fees from training and technical assistance shall be retained and carried forward for general operations.	Funding agency deliverable(s)	70.2	No Change
70.3 (HAC: Revenue from Copying Fees)	State	FY22-23 Proviso	States that revenue derived from copies of Commission files, opinions, and Orders shall be retained and carried forward for general operations.	Funding agency deliverable(s)	70.3	No Change
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 compliance with Fair Housing Law requirements.	Requires a manner of delivery		No Change
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 hearing against an employer in regard to an unlawful employment practice.	Requires a manner of delivery		No Change
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 conditions.	Requires a manner of delivery		No Change
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).	Not related to agency deliverable		No Change
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.	Requires a manner of delivery		No Change

Law number	Jurisdiction	Type	Description	Purpose the law serves:	Notes:	Changes made during FY2022
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 discrimination, or participated in an employment discrimination investigation or lawsuit.	Requires a manner of delivery		No Change
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.	Requires a manner of delivery		No Change
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, advancement, compensation, job training, and other terms, conditions, and privileges of employment. Title II requires that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities, including employment. The Human Affairs Law is substantially equivalent to Title I.	Requires a manner of delivery		No Change
11.174 GP: Human Affairs Commission and Commission for Minority Affairs Merger Study	State	FY22-23 Proviso	Requires named agencies to complete a study of the feasibility of merger between the Human Affairs Commission and Commission for Minority Affairs to be submitted to the Chairmen of Senate Finance and House Ways and Means Committees and the Governor by Dec. 1, 2022	Report our agency may/must provide		Added
11-1-130 COVID-19 Vaccination Discriminator; Vaccination Status	State	Statute	Prohibits the denial, deprivation, or interference of access to places of public accommodation on the basis of a person's vaccination status, if the denial, deprivation, or interference is supported by state action. Requires complaints concerning violations of this section be processed and heard pursuant to SC Code 45-9-40, et seq, wherein the Human Affairs Commission shall determine if there is reasonable cause to believe that the facts alleged are sufficient to state a violation and, if sufficient, conduct a hearing on the allegations.	Requires a service	Act No. 142, Eff. 4/25/2022	Added
44-139-50 Medical Ethics and Diversity Act	State	Statute	Requires the Human Affairs Commission to investigate alleged violations of this chapter filed with the Commission by a medical practitioner or health care institution, and to assist with appropriate corrective action if the investigation results in a finding that a respondent has engaged in an unlawful discriminatory practice. Requires the Commission to provide a copy of its report to the Directors of DHEC or LLR, and provides the complaining party a private right of action if the Commission fails to remedy the complaint.	Requires a service	Act No. 235, Eff. 6/17/2022	Added

FY2022

Services Data

as submitted for the 2022 Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

Description of Service	Description of Direct Customer	Customer Name	Others Impacted by Service	Division or major organizational unit providing the service.	Description of division or major organizational unit providing the service.	Primary negative impact if service not provided.	Changes made to services during FY2022	Summary of changes to services
Provides knowledge and assistance to contribute to the prevention and elimination of unlawful discrimination.	All citizens employed by state government; Industry	General Public	Industry	Consultative Services, Compliance, and Administration	Technical Services and Training, EEO Enforcement; Fair Housing Enforcement; Community Relations; Legal	Increased opportunities for discrimination to occur, which could lead to social unrest and lawsuits, including state government settlements.	No Change	
Provides timely and professional assistance and processes the charge of discrimination to a successful resolution.	Individuals who allege discrimination and their legal representatives; Industry	General Public	Industry	Consultative Services, Compliance and Legal	Intake, EEO Enforcement, Fair Housing Enforcement, and Legal	Increased opportunities for discrimination to occur, which could lead to social unrest.	No Change	
Assist communities with local issues related to diversity, promote harmony, and improve citizens' quality of life.	General Public	Community Relations Councils	General Public	Consultative Services - Community Relations	Community Relations	Increased opportunities for discrimination to occur, which could lead to social unrest.	No Change	
Processes complaints to successfully fulfill contractual obligations and responsibilities.	Federal Government	EEOC and HUD	General Public	Compliance	EEO Enforcement and Fair Housing Enforcement	Loss of federal funding to investigate complaints, resulting in additional burden to state budget to investigate complaints.	No Change	

FY2022

Partnerships Data

as submitted for the 2022 Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

Type of Partner Entity	Name of Partner Entity	Description of Partnership	Change to the partnership during the past fiscal year
Private Business Organization	Business/Companies	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	No Change
Individual	Citizens of SC	Enforce the laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	No Change
Local Government	Community Relations Councils - Local Government - Counties/Municipalities	To help prevent discrimination through constructive dialogue thereby promoting harmony among a diverse group of people.	No Change
State Government	Governor	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.	No Change
State Government	State Agencies	Monitor State Agency Affirmative Action Plans including hiring and promotion practices and train managers on methods to prevent and eliminate discrimination.	No Change
State Government	State Legislature	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.	No Change
Federal Government	US Department of Housing and Urban Development (HUD)	Enforce Housing laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	No Change
Federal Government	US Department of Justice	Share information and coordinate activities related to preventing discrimination in local communities and within the entire State.	No Change
Federal Government	US Equal Employment Opportunity Commission (EEOC)	Enforce Employment laws in an impartial and timely manner, and to help prevent discrimination through promoting harmony among a diverse group of people.	No Change

FY2022

Reports Data

as submitted for the Accountability Report by:

L360 - HUMAN AFFAIRS COMMISSION

Report Name	Law Number (if applicable)	Summary of information requested in the report	Date of most recent submission DURING the past fiscal year	Reporting Frequency	Type of entity/entities	Method to access the report	Direct access hyperlink or agency contact (if not provided to LSA for posting online)	Changes to this report during the past fiscal year	Explanation why a report wasn't submitted
Agreed-Upon Procedures Audit	SECTION 11-7-20. Annual audits of state agencies.	Agreed upon procedures, findings, and exceptions found based on the Agreed-Upon Procedures for financial transactions	July-21	Annually	South Carolina state agency or agencies	Available on another website	https://osa.sc.gov/reports/	No Change	
HUD External Audit		HUD case reviews and financial activity associated with the HUD Grants.	September-21	Annually	Entity within federal government	Available on another website	https://www.hud.gov/program_offices/fair_housing_equal_opp/system/hems	No Change	
Solid Waste and Recycling Report	SECTION 44-96-10	Annual Recycling Report to DHEC	September-21	Annually	South Carolina state agency or agencies	Available on another website	https://scdhec.gov/environment/recycling-waste-reduction/solid-wasterecycling-reports	No Change	
State Agency Accountability Report	Section 1-1-820	The annual accountability report contains the agency's mission, objectives to accomplish the mission, and performance measures that show the degree to which objectives are being met.	September-21	Annually	Governor or Lt. Governor AND Legislative entity or entities	Provided to LSA for posting online		No Change	
The Status of Equal Employment Opportunity in South Carolina State Government Annual Report to the General Assembly	Section 1-13-110 of the South Carolina Code of Laws of 1976	Status of State Agencies' Affirmative Action Plans	February-22	Annually	Governor or Lt. Governor AND Legislative entity or entities	Provided to LSA for posting online		No Change	