

**South Carolina Human Affairs Commission  
Board Meeting**

February 22, 2018  
10:00 A.M.

SCHAC Board Room  
1026 Sumter Street  
Columbia, South Carolina

**BOARD MEMBERS PRESENT**

John A. Oakland, *Chairman*  
Harold Jean Brown  
Ashley Case  
Joe R. Fragale – Excused  
Cheryl Ludlam  
The Reverend Willie Thompson  
A. C. Williams

**STAFF PRESENT**

Raymond Buxton, II  
Christina Jordan  
Dan Koon  
Alyssa Barker  
Marvin Caldwell  
Nefateda Chambers  
Sharon Dorn  
Mark Dunham  
Sarah Gable  
Teresa McWilliams  
Alicia Pearson  
Lee Ann Rice  
Martin Samuels  
Mike Visel  
LaTarnya Whitmire

**CALL TO ORDER AND ATTENDANCE CHECK**

On February 22, 2018, the South Carolina Human Affairs Commission (SCHAC) held its Board meeting at 1026 Sumter Street, Columbia, South Carolina. A public notice was posted at the main entrance on February 21, 2018, and to the SCHAC website.

Chairman John A. Oakland called the Board meeting to order at 10:00 A.M. All Board Members were present, except for Joe R. Fragale, who was excused.

Chairman Oakland led the Board in a moment of silence for the children of Marjory Stoneman Douglas High School.

**APPROVAL OF MINUTES**

There being no corrections to the minutes, a motion was made to approve by Commissioner Brown and seconded by Commissioner Williams. The November minutes were approved unanimously.

**MONTHLY DIVISION REPORTS**

The monthly division reports were emailed to Board Members on Tuesday, February 14, 2018.

## COMMITTEE REPORTS

### Administrative Update - Commissioner Brown

Commissioner Brown deferred the Administrative Update to Commissioner Buxton. He stated that 22 SCHAC Staff members have left the Agency over the last two years. As a result, SHAC is facing a shortfall in case production. From 14 Investigators, seven (7) have left over the past year. The majority of the Employees left due to receiving higher pay and promotion opportunities, primarily at other State agencies.

### Legal Update – Commissioner Case

Commissioner Case deferred the Legal Update to Lee Ann Rice. Lee Ann welcomed new SCHAC attorney Sarah Gable. Sarah has vast experience and will be involved in panel hearings. SCHAC is working on a plan for litigation for non-state agency cases. Those would be brought in circuit court. SCHAC's three regulation changes were proposed to the General Assembly following November's Public Hearing.

### Legislative Update – Commissioner Fragale

Commissioner Buxton presented the Legislative Update in Commissioner Fragale's absence. Commissioner Buxton has been lobbying members of the General Assembly. SHAC's good showing in the Legislative Oversight Committee's audit has been helpful. More legislators are familiar with SCHAC and the mission of the Agency. Board Members are encouraged to contact members on the Ways and Means Committee for support of the SCHAC budget.

SCHAC attorney Lee Ann Rice stated that the Senate Judiciary Committee passed a bill through the House that would enable SCHAC to investigate cases related to pregnancy issues. The Senate is debating an amendment and has asked for further definitions.

### Personnel Update – Commissioner A.C. Williams

Commissioner Williams welcomed the SCHAC new hires and shared the following information:

<u>Total Employees:</u>	As of 02/21/2018
	45 – Full Time Employees
	01 – State Temp – Larry McBride (Program Coordinator I – Mediator)
	<b>46 – Total Employees</b>
<u>Total Vacancies:</u>	04 – As of 02/21/2018
	<ul style="list-style-type: none"><li>• 1 Program Coordinator I (Technical Services) – Position has been posted and should be filled by April 2, 2018</li><li>• 3 Program Coordinator I – Vacant &amp; no office space to place employees</li></ul>
<u>Total Terminations:</u>	00
<u>Total Internal Moves:</u>	00
<u>Total Resignations:</u>	01 – Sheila Gibbs – Program Coordinator I (Technical Services)
<u>Total Retirements:</u>	00
<u>Total New Hires:</u>	05 – Mark Dunham – Program Coordinator I (Employment Investigator) Sarah Gable – Attorney II Nefateda Chambers – Program Coordinator I (Employment Investigator) Michael Visel – Program Coordinator I (Employment Investigator)

Yvette Critchfield – Program Coordinator I (Community Relations)

**Finance Update – Cheryl Ludlam**

Commissioner Ludlam deferred the Finance Update to SCHAC Administrative Manager Christina Jordan.

Christina reported:

For SFY 2018:

As of January 2018, SHAC has consumed:

State Funds:

Salaries (FTE's)	\$	749,740.25
Salaries (Temps)	\$	35,287.00
Employer Contributions	\$	281,508.39
Other Operating Expenses	\$	197,981.91
Per Diem (Board)	\$	490.00
CRC Funds	\$	1,175.25
Terminal Leave Payout	\$	4,603.13
<b>Subtotal - State Funds</b>	<b>\$</b>	<b>1,270,785.93</b>

Earmarked Funds:

Salaries (FTE's)	\$	188,759.15
Salaries (Temps)	\$	9,900.00
Employer Contributions	\$	52,026.73
Other Operating Expenses	\$	39,981.74
Terminal Leave Payout	\$	1,126.26
<b>Subtotal - Earmarked Funds</b>	<b>\$</b>	<b>291,793.88</b>

Federal Funds:

Salaries (FTE's)	\$	115,740.30
Employer Contributions	\$	38,937.46
Other Operating Expenses	\$	22,801.21
<b>Subtotal - Federal Funds</b>	<b>\$</b>	<b>177,478.97</b>

Total Expended:

**Total - SCHAC \$ 1,740,058.78**

Approximately 49.30% of total budget expended with almost 60% of the year elapsed.

Chairman Oakland asked if SCHAC can expect an increase in expenditures. Christina responded in the affirmative.

Commissioner Buxton stated that the majority of the 22 Investigators who left SCHAC in the last two years took other jobs within state government, indicating that salary was their primary motivation for leaving. Christina stated that more salary has been allotted to SCHAC's next year's budget.

## **COMMISSIONER'S REPORT**

### **Administration Update - Commissioner Buxton**

Commissioner Buxton stated that SCHAC expect to contract with the EEOC for 1,065 cases. SCHAC is waiting for the contract from Washington. Currently, 50% of the EEO staff have less than one year's experience with the Agency. It is likely that SCHAC will have to consider a downward modification from the expected 1,065 cases. The monies earned through EEOC contracts are SCHAC's largest stream of revenue.

Chairman Oakland asked about the turnover level of the EEO staff. Commissioner Buxton replied that most of the management level are still employed and the District EEOC office has high regard for SCHAC's quality of work and productivity. Charlotte District Director of the U.S. Equal Employment Opportunity Commission Reuben Daniels, Jr., has stated that SHAC is one of the agencies with the fewest returned cases for rework. Commissioner Buxton stated that, for the period Oct-Jan, 279 cases were completed for an average of 70 per month. Commissioner Buxton would like to increase that average to 100 per month. Mediation is down: 105 cases this year compared to 159 cases last year. Eighteen (18) fewer Complainants agreed to mediation this year—20 this year compared to 38 last year. Of those mediations, fewer were successful—15 this year compared to 27 last year.

Chairman Oakland pointed out that the one SCHAC recommendation rejected by the Legislative Oversight Committee was for mandatory meditation.

Commissioner Buxton went on to state that finalized employment cases at this time last year were 620 (772 as of March 31). To date SCHAC has finalized 604 (721 as of March 31) cases this year with seven (six as of March 31) months left in the 2017/2018 EEOC contract period.

A team of SCHAC employees presented a training skit entitled "Mock Investigation of a Sexual Harassment Complaint" that demonstrated the methods of an investigation.

Commissioner Buxton stated that on February 26, on Channel 5 television in Charleston, SCHAC staff will be making an appearance on a panel to answer questions regarding sexual harassment.

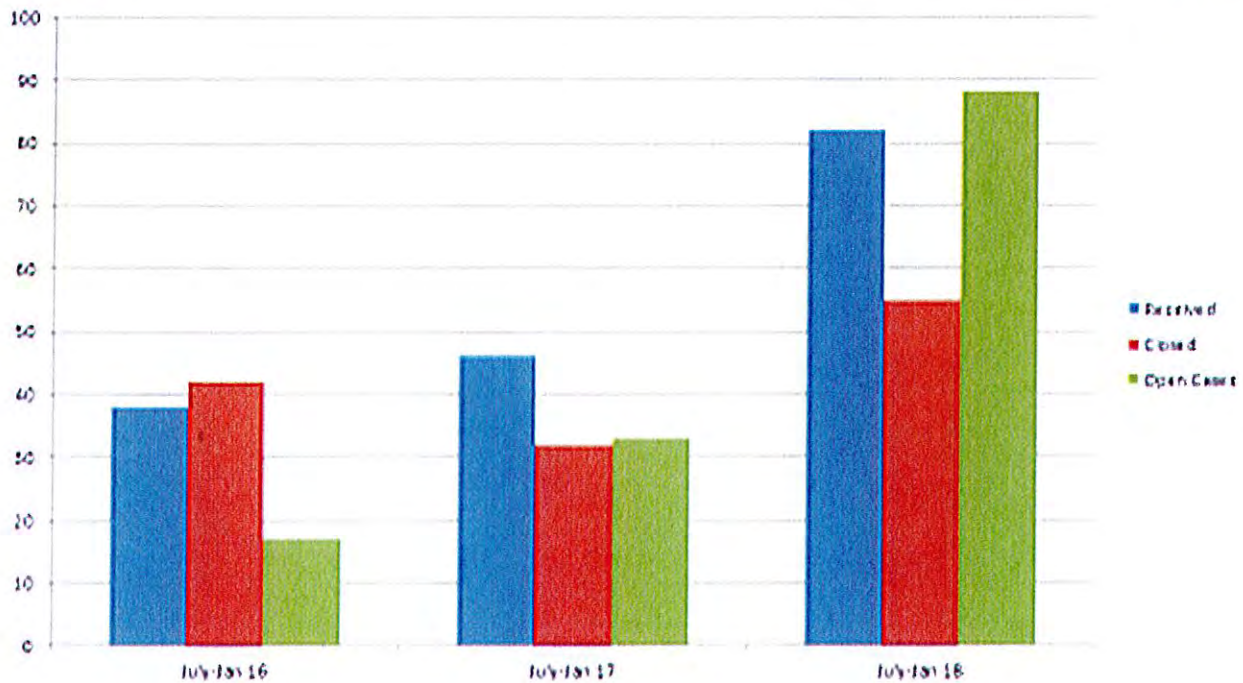
### **Housing Update - Marvin Caldwell**

- As of this time January 2016 for the fiscal year we received 38 cases, closed 42 cases, and had 17 cases open in our inventory
- As of this time January 2017 for the fiscal year we received 46 cases, closed 32 cases, and had 33 cases open in our inventory
- This year we received 82 cases, closed 55, and have 88 cases in our inventory

- As of this time January 2016 for the fiscal year, we conciliated 10 cases, totaling in a monetary settlement amount of \$17,692
- As of this time January 2017 for the fiscal year, we conciliated 17 cases totaling, in a monetary settlement amount of \$20,433
- Conciliated 20 cases so far this fiscal year, totaling in a monetary amount of \$33,090



## Fiscal Year Comparisons

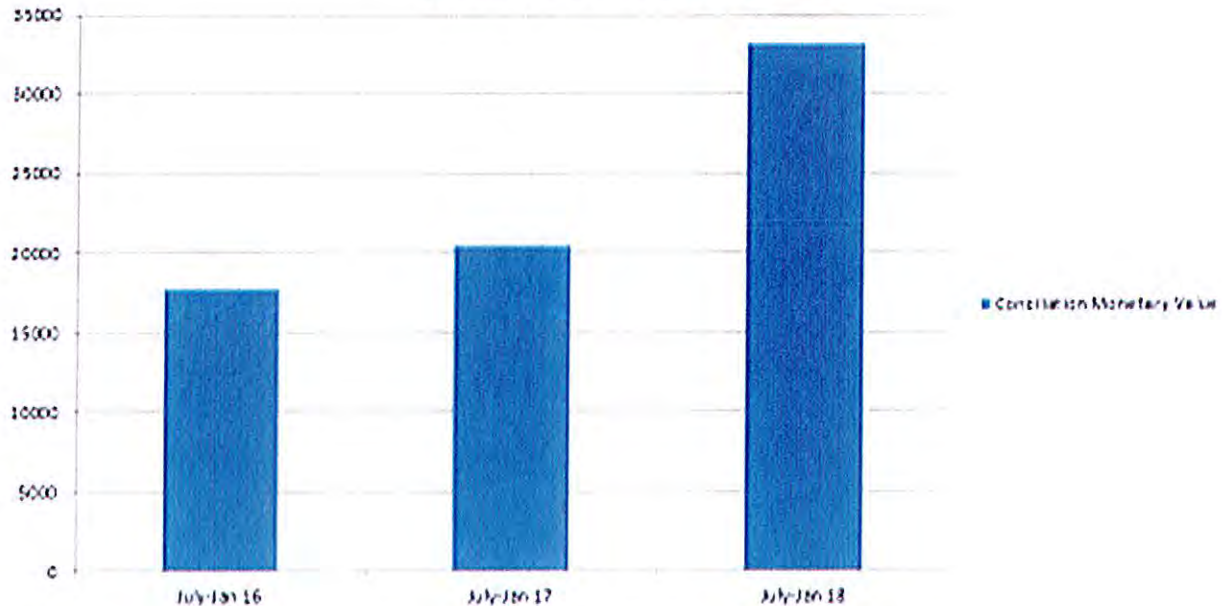




# Conciliation Comparisons



**Conciliation Monetary Value**



Marvin participated on the HUD quarterly conference call. HUD asked SCHAC to flag DOJ for potential cause sexual harassment cases and informed Marvin that some new guidance about assistance animals (emotional support and service animals) will be coming out soon pending their meeting about the topic this week.

Commissioner Ludlam asked if the law gives guidance in terms of a property manager/owner doing criminal background checks on potential renters. Marvin stated that the policy is not clear.

Chairman Oakland complimented Marvin on the great job he and his staff are doing in Housing.

Commissioner Buxton stated that Marvin and his staff are on goal to complete 100 cases this year, for the first time in SCHAC's history.

Marvin stated that he will add the email addresses of Board Members to his distribution list for events.

The meeting adjourned for lunch at noon. Chairman Oakland asked to reconvene at 12:45 am.

## **CHAIRMAN'S COMMENTS**

Chairman Oakland commented on SCHAC's monthly activities for January, stating that the Agency has a healthy workload. He encouraged SCHAC to call on Board Members to lend a hand if needed.

Chairman Oakland stated that next week is national Peace Corps Week. The Peace Corps was founded March 1, 1961. The Chairman recognized new employee Michael Visel, who formerly served as a Peace Corps Volunteer.

### **BOARD MEMBERS' COMMENTS**

Commissioner Ludlam thanked SCHAC staff for their work and dedication. She stated that, regarding turnover, the world is in an era when high turnover is not unusual. She encouraged SCHAC not to lose focus on the intangible benefits that SCHAC provides employees to create a sense of community. Commissioner Buxton responded that SCHAC is very active in employee activities and celebrations. Commissioner Ludlam responded that SCHAC employee satisfaction is evident in her observations.

Commissioner Case stated that the Laurens Community Relations Council is gearing up, thanks to the excellent work of Sandra Ligon. The Council is streamlining and determining focus.

Commissioner Brown stated that she attended the February Women's Leadership Conference in Myrtle Beach. She stated that she will be participating in the 2018 Georgetown Unity Alliance 2nd Annual Melting Pot March - Saturday, March 24, 2018, and she has been attending the Holy Cross Faith Memorial Church series on race relations.

Commissioner Williams – Commissioner Williams welcomed new SCHAC employees. He complimented Marvin Caldwell on the outstanding work done by Housing. He stated that SCHAC Community Relations Senior Consultant Sandra Ligon will be speaking on the topic of Community Relations Councils at the city council meeting, which will be televised. He reminded Board Members that February is Black History Month. Commissioner Williams sponsored twenty children to see the movie Black Panther, which was followed by an open program panel with a time for questions and answers.

The Reverend Commissioner Thompson expressed welcome to all the new SCHAC employees.

### **Dan Koon – Administration Update**

#### Technical Services:

Dan Koon introduced SCHAC Technical Services EEO Senior Consultant Stephanie Price, who presented a PowerPoint entitled *Affirmative Action Plan: An Overview*.

Dan stated that it is a continuing process to monitor state agencies' affirmative action plans.

Dan reminded Board Members that the 2018 EEO Forum will be held April 19 at Seawell's Banquet Hall. Please note the date change.

#### Training:

##### Conducted EEO employment presentation:

- As a result of the training that Lee Ann and Dan conducted for the Society of Human Resource Managers in Columbia- State Human Resources asked SCHAC to conduct similar training to over 100 State Human Resources folks at a State Human Resources Advisory meeting held in January.

- Training for the following state agencies this past quarter: 1) Santee Cooper, 2) Adjutant General's Office, 3) S.C. State, 4) City of Rock Hill.
- Conducted training at a Civil Rights Roundtable in Greenville, which was put together by the U.S. Attorney General's Office of Civil Rights Division, with a focus on Disability Employment Law. Plans are to carry this seminar to the Low Country and Midlands.
- Spoke at a Sikh Temple, attended a gathering with a Muslim Mosque and Christian Church, and attended a lecture on Jewish Holocaust.
- Spoke at S.C. Bankers Human Resources Association.

#### I. Internal Training:

- Mediation Training for 31 staff members by the Midlands Mediation Center Dec. 5-7 went very well.
- The first part of January, SCHAC had Active Shooter Training for all staff led by SLED.
- SCHAC had Customer Service Training for all staff provide by State Human Resources.

#### II. Community Relations and Outreach:

- SCHAC hired new Community Relations Consultant Yvette Critchfield.
- Yvette and Sandra are going to see Dr. Graeme Coetzer every Thursday for the next few weeks, so Yvette can be trained on some computer programs that Dr. Coetzer has initiated regarding Community Relations Councils.
- Sandra is in a constant process of maintaining contact with Community Relations Councils and potential Councils. She focused this past month on the Upstate to include Lexington, Laurens, Abbeville, Saluda, and others.
- She appreciates the Board's help and assistance.
- Sandra has developed a relationship through SHACRA with Together SC that deals with Non Profits, and there is a conference in Hilton Head. Dan will participate in a workshop there related to preventing sexual harassment.
- Sandra, Yvette, and Dan visited Penn Center, first location in the South to provide a formal education for African Americans, and designated as a National Landmark, also the location where much planning took place for the Civil Rights Movement. On the same trip Sandra and Dan met with Dr. George Hamilton, the first Commissioner of SCHAC appointed when the Agency was created under executive order in 1971. He became first full-fledged Commissioner in 1972 and stayed until 1974.

#### Anita and Outreach

- Anita with Sandra's assistance is producing a monthly Community Relations Council newsletter; if Board Members are not receiving this, please let Teresa know.
- Anita completed the new logo.
- Anita is planning for End Racism Day, March 21, with a forum at the Greater Columbia Chamber of Commerce building where the Greater Columbia Community Relations Council is located. 8:00 to 10:00 A.M. Nickelodeon Theater is showing a film that night on racism.
- Emmanuel 9 Remembrance Day on June 1 in Chapel Auditorium at Allen University.
- Anita working with various news organizations and digital media associated with Spectrum and Comcast and WOLO TV where there is a focus on advertising agency in metropolitan areas throughout South Carolina.



- Anita had Dan on a panel discussion regarding sexual harassment in December with WACH-TV for a half hour, and SCHAC will have five to six staff manning the phones with Channel 5 in Charleston as they serve on a panel regarding sexual harassment and discrimination this coming Monday.
- Anita works on Agency website. Dan requested that Board Members look at that when they have the chance, and she continues to work on resolving 90(e) and Public Accommodations complaints.

EEO Enforcement:

- SCHAC is training seven new investigators who have been here less than one year, and they are doing wonderfully well.
- EEO productivity reports are in Board Members' packets. SCHAC has a lot of work to do fulfill the contract.
- 244 submissions for a proposed contract of 1,065 cases.
- Average case load of employment for seven investigators with the Agency for one year or more is 35.5.
- Two new EEO investigators hired during the first quarter of the year, Nefateda Chambers and Michael Visel.
- End of January approximately 426 cases in the system for investigation.

Other matters:

- Dan continues to represent the Agency on the State Grievance Committee.
- The reception and lobby areas have been renovated to create more security for all. Cameras and intercom are in the foyer. Intake now has a private area to hold discussion with potential complainants.
- Door and lock for Housing Department.
- Installation of security mechanisms that connect to Bureau of Protective Services.


Commissioner Buxton praised Dan for all his hard work, saying that Dan consistently ranks 5 out of 5 on ratings by training participants.

*The meeting adjourned for Executive Session.*

The next Board meeting is scheduled for May 17, 2018. The meeting will be held at 10:00 A.M. in the Board Room of the S. C. Human Affairs Commission, 1026 Sumter Street.

Respectfully submitted by SCHAC Executive Assistant Teresa McWilliams.

BOARD MEETING ADJOURNMENT

  
 Raymond Buxton, II, Commissioner

  
 John A. Oakland, Chairman  
 Date 5/2/2018