

**South Carolina Human Affairs Commission
Board Meeting**

February 21, 2019
10:00 A.M.

SCHAC Board Room
1026 Sumter Street
Columbia, South Carolina

BOARD MEMBERS PRESENT

John A. Oakland, *Chair*
Harold Jean Brown – EXCUSED
Ashley Case
Joe R. Fragale
Cheryl Ludlam, *Vice Chair* - EXCUSED
The Reverend Willie Thompson
A. C. Williams

STAFF PRESENT

Raymond Buxton, II
Alyssa Barker
Hollis Burnett
Marvin Caldwell
Sharon Dorn
Dan Koon
Teresa McWilliams
Lee Ann Rice
Emily Rouse
Dave Smith

CALL TO ORDER AND ATTENDANCE CHECK

On February 21, 2019, 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 20, 2019, and to the SCHAC website.

Chair John Oakland called the Board meeting to order at 10:00 A.M. All Board members were present, except for Commissioner Brown and Commissioner Ludlam, who were excused.

APPROVAL OF MINUTES

There being no corrections to the minutes. The November minutes were approved unanimously.

MONTHLY DIVISION REPORTS

The monthly division reports were presented to and emailed to Board members on Wednesday, February 20, 2019.

COMMITTEE REPORTS

Administrative Update - Commissioner Brown - EXCUSED

Commissioner Buxton presented the administrative update in Commissioner Brown's absence. Commissioner Buxton stated that turnover is a continuing issue. The training period for a new Investigator is 18 – 24 months. The primary reason Investigators are leaving is for a higher salary. SCHAC's training makes them valuable to other agencies. Chairman Oakland pointed out that the problem was covered extensively in the meetings with the Legislative Oversight Committee last year. Lee Ann Rice listed some of the agencies to which former employees have matriculated.

On January 29 Commissioner Buxton, accompanied by SCHAC Administrative Manager Christina Jordan, presented the SCHAC budget to the Finance Committee. The committee seemed very receptive to SCHAC's request.

Legal Update – Commissioner Case

Commissioner Case deferred the Legal Update to Lee Ann Rice. Lee Ann discussed the regulations SCHAC presented to legislators. She discussed a bill being considered to extend the Pregnancy Accommodations Act to all South Carolina employers. She discussed a bill being considered that would make it unlawful to misrepresent an animal as a service animal. Lee Ann says that SCHAC takes no position on the service animal bill, but SCHAC has been involved in developing the language for the bill. It is possible such a bill could allow a company to require a doctor's evaluation stating that the animal is indeed a service animal. Lee Ann discussed a bill being considered that would add gender identification and sexual orientation to the list of protected categories.

Lee Ann discussed other pending cases and settlements.

Lee Ann listed various trainings being held by the Legal Department for various organizations and for SCHAC staff. SCHAC is pleased to have the third extern from USC who is assisting SCHAC at no cost. She tabled further discussion until the Executive Session.

Commissioner Fragale asked about pending legislation requiring mandatory mediation. Lee Ann responded that the legislation was not passed and has not been introduced in the subsequent term; however, due to SCHAC efforts there has been a decrease in the number of hearings and time spent on cases thanks to an increase in mediations. Commissioner Buxton stated that SCHAC will continue to sponsor and support legislation to support cost savings through options such as mandatory mediation. Commissioner Fragale went on to praise SCHAC's work on the SCHAC v. Dale Bishop LLC hearing.

Legislative Update – Commissioner Fragale

Commissioner Fragale deferred the legislative update to Commissioner Buxton, who stated that he has been meeting with all newly elected legislators as a priority, as well as with all re-elected legislators. The new legislators have a lot of questions about SCHAC. A packet of information on SCHAC is left with legislators, so that they may have a snapshot of the Agency for reference. Some legislators have shared issues that they are experiencing as they relate to employment or

fair housing, and Commissioner Buxton has been able to assist by directing them to the SCHAC Intake Department. For instance Commissioner Buxton met with the director of the State technical school system to suggest training. Commissioner Case praised Commissioner Buxton for his work with legislators and expressed how important it is. Commissioner Fragale also complimented Commissioner Buxton on his educating legislators about SCHAC. Commissioner Buxton went on to discuss his meeting with Lt. Governor Pamela Evette. Commissioner Thompson asked if Commissioner Buxton is finding that legislators are unaware of the work of SCHAC. Commissioner Buxton responded in the affirmative and said that it is up to SCHAC to make sure they are aware of the inspiration SCHAC brings to the State of South Carolina. Commissioner Williams pointed out it is not only legislators that are unaware of the value SCHAC brings to the State. Commissioner Buxton agreed that there is also an obligation to educate State agencies and the general public about the role of SCHAC.

Personnel Update – Commissioner A. C. Williams

Commissioner Williams welcomed the SCHAC new hires and shared their qualifications with the Board.

Total Employees:	As of 02/14/2019
	43 – Full Time Employees
	01 – State Temp – Larry McBride (Program Coordinator I – Mediator)
	44 – Total Employees
Total Vacancies:	03 – As of 02/14/2019
	• Program Coordinator I – Community Relations (2 positions)
	• Program Coordinator I – Technical Services (1 position; Posted 2/15/19)
Total Internal Moves:	01 – Anita Dantzler – Program Coordinator II (Community Relations)
Total Resignations:	03 – Melanie Goff – Program Coordinator I (EEO Enforcement)
	Stephanie Price – Program Coordinator II (Technical Services)
	Patrick Montgomery – Program Coordinator (Community Relations)
Total New Hires:	03 – Emily Rouse – Administrative Specialist II (Intake)
	Stephani Frese – Program Coordinator II (Technical Services)
	Hollis Burnett – Program Coordinator II (EEO Enforcement)

Finance Update – Cheryl Ludlam - EXCUSED

Commissioner Oakland presented the finance update in Cheryl Ludlam's and Christina Jordan's absence. Commissioner Buxton mentioned that Christina is in training today to receive her APM.

For SFY 2019:

As of January 2019, SCHAC has consumed:

State Funds: Salaries (FTE's)	\$ 802,080.10
Salaries (Temps)	\$ 43,848.42
Employer Contributions	\$ 311,645.35
Other Operating Expenses	\$ 178,724.67
Per Diem (Board)	\$ 875.00
CRC Funds	\$ 2,177.19
Terminal Leave Payout	\$ 10,774.96
Subtotal - State Funds	\$ 1,350,125.69

Earmarked Funds: Salaries (FTE's)	\$ 194,683.45
Salaries (Temps)	\$ 500.00
Employer Contributions	\$ 66,290.21
Other Operating Expenses	\$ 34,032.50
Terminal Leave Payout	\$ 1,305.91
Subtotal - Earmarked Funds	\$ 296,812.07

Federal Funds: Salaries (FTE's)	\$ 117,447.10
Employer Contributions	\$ 42,597.49
Other Operating Expenses	\$ 23,878.45
Subtotal - Federal Funds	\$ 183,923.04

Total Expended: Total - SCHAC	\$ 1,830,860.80
---	------------------------

SCHAC currently has spent approximately 52.57% of total budget with approximately 58.33% of the year elapsed.

Commissioner Buxton and Christina went before the Governor's Office and Executive Budget Office on October 12, 2018, regarding SCHAC's budget request for State Fiscal Year 2020, which begins on July 1, 2019.

SCHAC has made the following requests totaling \$209,738:

1. A new FTE and associated costs due to the Pregnancy Accommodations Act in the amount of \$70,708 of reoccurring funds
2. One time funding for a consultant due to the Pregnancy Accommodations Act in the amount of \$70,100
3. A new FTE and associated costs with the increased case load for the Fair Housing Department and the necessity of having a second bilingual Investigator in the amount of \$68,930 of reoccurring funds

The Governor's Executive Budget, updated 1/11/19, contains the full request. Commissioner Buxton and Dan met with the House Ways and Means Subcommittee on January 15. The House bill is expected to be presented to the Ways and Means Committee sometime this week or next. Commissioner Buxton, Dan, and Christina met with the Senate Finance Subcommittee on January 29. The Senate Finance Subcommittee has not completed meetings with all agencies yet.

COMMISSIONER'S REPORT

Administration Update - Commissioner Buxton

Commissioner Buxton stated that as of the last pending report on February 11, 2019, there were 457 open cases in the system.

Compliance Employment and Intake:

- Average case load per nine (9) Investigators at the end of January was 36 cases.
- Average case load per four (4) new Investigators (hired since July 2018) at the end of January is 19. (One [1] new Employment Investigator was hired in February.)
- 71 cases were submitted for credit in January.
- SCHAC needs 86 cases per month to reach the goal of 1,029 cases.
- 254 + 71 – 325 cases for current proposed EEO contact of 1,029 cases. 704 cases to go!
- At the end of the first quarter of the EEOC contract plus the month of January, SCHAC was 18 cases away from the four-(4)-month goal of 344.
- Last day for Investigators to submit cases for February is February 22.

So far, Employment and Intake have had a great production period in February, and it is the Commissioner's hope that SCHAC will be close to the five-(5)-month goal of completing 430 cases. This has been accomplished through the good teamwork of SCHAC Investigators, their supervisors, and the efforts of the SCHAC Legal Department.

As a reminder,

- Investigators who have completed their first-year are responsible for reaching a goal of completing six (6) cases per month.

- Second-year Investigators are responsible for reaching a goal of seven (7) case per month.
- Probationary Investigators need to produce four (4) cases per month.
- Realistically, considering the monthly expectations of Investigators as related to their service time, SCHAC should be expecting the production of 79 cases per month.
- For example, per month:
 - Six (6) first-year EEO Investigators should complete 36 cases,
 - Three (3) senior EEO Investigators should complete 21 cases,
 - Five (5) new EEO Investigators should complete 18 cases,
 - One (1) EEO supervisor should complete four (4) cases per month,,
 - For a total of 79 cases per month.

With a goal of 79 cases being completed per month by Investigators, if Mediation can mediate five (5) cases per month, SCHAC will reach its goal of 84 cases per month.

Lee Ann stated that the inventory of cases is a little on the heavy side due to the federal government shutdown, which included the EEOC. They passed more cases to us than usual. Commissioner Buxton stated that SCHAC's EEO is projected to close 100 cases this month. That level is due largely to the hard work of the Legal Department's working closely with the supervisor and Investigator. Based on current staffing levels, expectation is 79 cases closed per month. Currently, SCHAC is exceeding that goal. Mediation has grown to 29 cases over the last four (4) months, for an average of seven (7) per month. There were 54 cases on hand in Mediation at the end of January.

Commissioner Thompson asked SCHAC's definition of "new". Commissioner Buxton responded that an Investigator is considered "new" if he/she has been employed at SCHAC less than one (1) year. (In the past, less than 18 months has been the criteria.) Commissioner Fragale asked if SCHAC is training agencies on key words in terms of biased versus unbiased. Commissioner Buxton replied in the affirmative, stating that SCHAC is quick to do training onsite if concepts seem to be lost in translation over the phone.

Commissioner Buxton went on to state that SCHAC's Intake numbers are not where they need to be. He is monitoring this situation and working to process more cases, getting assistance from new Employment Investigators to help write up charges and also to make phone calls to potential Complainants to get their questionnaires or charges back to the Agency. Initial Intake Total Contacts for January were 263. First Contacts were 126. IIQ's issued were 77. IIQ's received were 112. Charges prepared and closed were 101. Charges prepared for Complainant were 56. Charges formalized and received from Complainants were 44. Charges not yet completed waiting to be drafted are 206, 50% of which should be completed by next month. Spanish Contacts were one (1).

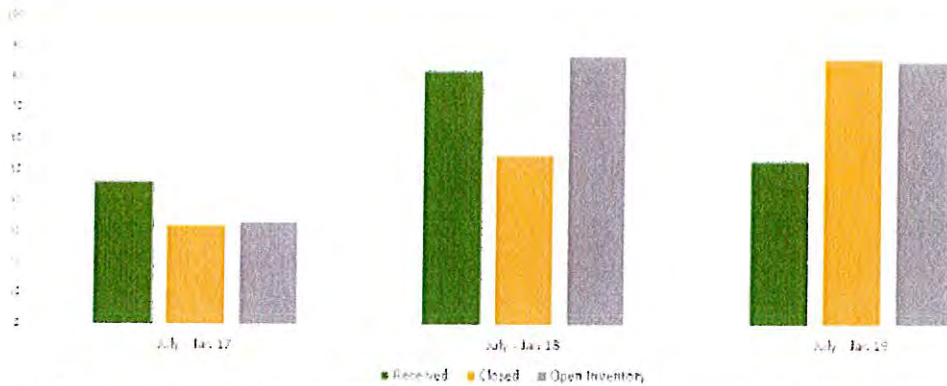
Commissioner Buxton stated that one (1) EEO Investigator is out on maternity leave. The Housing Department is fully staffed again.

Housing Update - Marvin Caldwell

Marvin Caldwell presented the Housing Update.



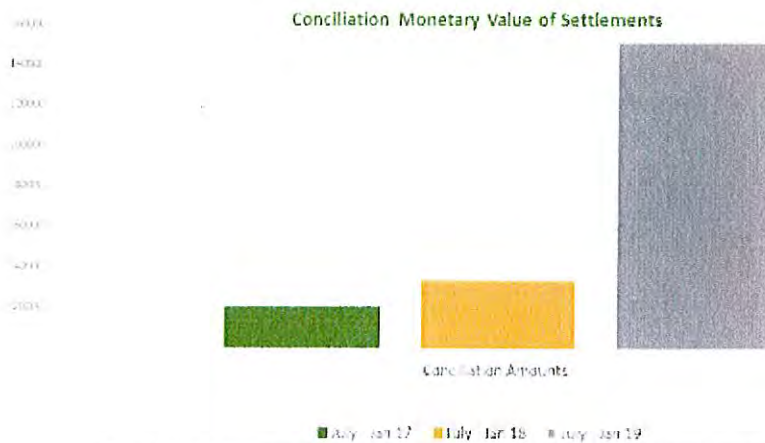
Fiscal Year Comparisons



Fiscal Year	Cases Received	Cases Closed	Open Case Inventory
July - January 2017	46	32	33
July - January 2018	82	55	87
July - January 2019	53	86	85



Conciliation Comparisons



July - January 2017	July - January 2018	July - January 2019
\$20,433	\$33,090	\$151,403

Commissioner Fragale asked about the stress level in the Housing Department. Marvin stated that the team works well together. They seem to roll with it. Lee Ann pointed out that Housing has more cases due to the federal government shutdown of the EEOC.

Marvin stated that there is a bill in front of congress that would make it illegal for a person to represent an animal as a service animal if it is not a service animal. Lee Ann stated that SCHAC has been involved in the language of the bill, although SCHAC takes no position on the bill itself.

Commissioner Buxton praised Giselle Jackson on her dedicated service in the Housing Department and welcomed back Alyssa Barker from maternity leave. Alyssa is completing cases already. Neffie Chambers also has returned from maternity leave and is completing cases.

CHAIRMAN'S COMMENTS

Chairman Oakland praised the hard work of the SCHAC staff.

BOARD MEMBERS' COMMENTS

Commissioner Case stated that the Laurens Community Relations Council needs some attention in terms of regenerating to its full potential. She encouraged Board members to meet with legislators when they are not in session to support SCHAC efforts.

Commissioner Thompson stated that he appreciates the work of the SCHAC staff and the efforts of Commissioner Buxton on behalf of the State of South Carolina.

Commissioner Williams – Commissioner Williams stated that SCHAC is doing an outstanding job. Commissioner Buxton thanked Commissioner Williams for the time he takes to come to Columbia to review cases. Commissioner Williams stated that he will be a panel member for Black History Month on February 28.

Commissioner Fragale stated that he will be meeting with Senator Margie Bright Matthews and will make sure she knows all the wonderful things that SCHAC is doing.

Dan Koon

Report from Technical Services:

Dan praised EEO supervisors for their teams' great production during first quarter and the Intake Department for a record-breaking month.

A lot has occurred in Technical Services since the last meeting:

- I. Stephanie Price, an employee of this Agency, working in Technical Services for approximately 10 years, was hired by MUSC as the Director of Equity, EEO, and University Accessibility Services. Stephanie was a model employee here. A team builder, always willing to help in any capacity. Stephanie's last day with the Agency was January 4.
- II. It is difficult to find a person to replace someone as wonderful as Stephanie, but Dan feels that SCHAC has found a similar person who is committed to the values and mission of the Agency in Stephani Frese. Stephani comes to SCHAC after working many years at DEW as an EEO Officer and trainer and in various other capacities.

- III. Ms. Frese and Lauren Caudle have proven to be another great team working together.
- IV. They completed the Annual Report to the General Assembly on time on February 1, and SCHAC is grateful for their hard work.
- V. Due to the departure of Ms. Price, SCHAC hired her replacement instead of hiring Erin Wilson's replacement, and thus SCHAC will be hiring Erin's replacement sometime in March.
- VI. The EEO Forum will be on April 18th, and Dupres will host and do the catering. The location is 320 Senate Street at Senate's End.
- VII. Training: Lots of training has been conducted since the Board last met. Conducted EEO Employment Presentation at:
 - Training for the following State agencies 1) S. C. Department of Natural Resources x 3, 2) S. C. State Library, 3) Horry County x 16. Stephani is there today in Dan's place. After this week, SCHAC will have eight (8) more trainings for county government employees, 4) Santee Cooper.
 - Additional future trainings are at Myrtle Beach for the Magistrate's staff, S. C. University, and Santee Cooper.

VIII. Community Relations and Outreach:

The Community Relations Department has been very busy.

- Sadly, as you recall, Saundra decided to retire, and SCHAC will miss her enthusiasm, but she is back working two (2) days a week part-time to maintain relationships with the current Community Relations Councils and also with partners developed during her tenure.
- Patrick Montgomery, who was our only employee in Community Relations after Saundra left, decided that he wanted to go back and be affiliated with the military, working as a civilian.
- Dr. Coetzer is focusing on hiring two (2) interns to complete his work with the "Quality of Life Initiative" that he developed, and these interns will learn the program and hopefully will be available for hire by the Commission at some point in time. At this point in time, we will not be hiring anyone else in Community Relations until Dr. Coetzer completes his work.
- Wonderful news in Community Relations is that Anita Dantzler has been promoted as the Director of Community Relations and Outreach. Not only will Anita handle work with interns, she will learn Dr. Coetzer's program, and she will be ready to hire employees in Community Relations when the appropriate time comes for the Agency to move forward.
- Anita is continuing to attempt to resolve 90 (e) and Public Accommodations complaints; she is working on our three (3) annual events and has collaborated with South Carolina Collaborative on Race and Reconciliation, as well as the S. C. Association for Community Partnerships for the *No Blame, No Shame* panel discussion on March 21 in Rock Hill at City Council Chambers.

- Anita is working on getting the word out about the Commission through the media, advertising, updating the SCHAC website, and producing newsletters for Community Relations and the Agency.

- IX. EEO Enforcement: This report was given by the Commissioner, and again Dan wants to thank the supervisors and employees in that area who have done an outstanding job this past quarter. Thanks to the Legal Department for providing assistance to SCHAC Investigators and supervisors. Also, Dan wants to thank Vicki Miller, SCHAC's EEO Coordinator, who does so much for EEO compliance.
- X. Other Agency activities:
- 1) All supervisors and managers completed SCHAC EPMS documents for employees by the end of January 31. Chairman Oakland asked where those reports go. Dan replied that they remain internal, although the State will audit to ensure compliance.
 - 2) Dan continues to be on the State Grievance Committee and to serve as a mentor to an employee from the S. C. Criminal Justice Academy who is going through the State of S. C. Associate Public Managers Program. The Commissioner is serving as mentor to an employee from Parks and Recreation.
 - 3) SCHAC had a great United Way Kick-off campaign around Thanksgiving after the Board meeting and had a good Thanksgiving luncheon as well for the staff. According to United Way, SCHAC has 100% participation from employees this year. Thanks to all the hard work by Lee Ann Rice, the co-coordinator, and the SCHAC United Way team. SCHAC's Christmas luncheon celebration was provided by Commissioner Buxton, and we all continue to be grateful for his leadership and example here at the Agency.

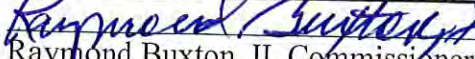
Chairman Oakland asked if the City of Aiken has requested training. Dan responded in the negative. Chairman Oakland said that he would approach them on behalf of SCHAC. Commissioner Williams asked Dan if he has statistics that are broken down by the number of complaints filed by district. Dan said that he can request that information from the EEOC. The Commissioner praised Dan for his many training sessions throughout the State and for receiving outstanding reviews from the participants.


The meeting adjourned for lunch to be followed by Executive Session.

The next Board meeting is scheduled for May 16, 2019, [and was subsequently rescheduled to **May 23, 2019.**] 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 Oakland, Chair

23 May 2019
Date