

**South Carolina Human Affairs Commission
Board Meeting**

August 16, 2018
10:00 A.M.

SCHAC Board Room
1026 Sumter Street
Columbia, South Carolina

BOARD MEMBERS PRESENT

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

STAFF PRESENT

Raymond Buxton, II
Alyssa Barker
Marvin Caldwell
Sharon Dorn
Reggie Green
Christina Jordan
Dan Koon
Teresa McWilliams
Lee Ann Rice
Dave Smith
Carlos Diaz
Robin Rawls

CALL TO ORDER AND ATTENDANCE CHECK

On August 16, 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 August 15, 2018, 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 Vice Chair Ludlam, who was excused.

APPROVAL OF MINUTES

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

MONTHLY DIVISION REPORTS

The monthly division reports were emailed to Board Members on Wednesday, August 15, 2018.

COMMITTEE REPORTS

Administrative Update - Commissioner Brown

Commissioner Brown deferred the Administrative Update to Commissioner Buxton. He stated that the SCHAC budget passed the House and Senate without dissenting vote. Governor McMaster approved the budget the end of June. The Management team has been crunching numbers to account for the EEOC contract downward modifications for the FY17-18. The FY 18-19 budget is due to the Executive Budget Office on September 21. The State auditors gave SCHAC an outstanding audit report. Chairman Oakland asked for an update on Mediation. Commissioner Buxton said that Mediation is down from 102 mediations to 71; however, monetary value is higher by over \$100,000 this year.

Legal Update – Commissioner Case

Commissioner Case deferred the Legal Update to Lee Ann Rice. Lee Ann stated the following: A reminder was sent to panel members who will be Hearing the case November 8 in Greenville. Lee Ann will cover updates on the hearings in executive session, as well as discuss the Colorado case that went to the Supreme Court. By the end of the month, five (5) lawsuits will have been filed. The Legal Department requested and received additional SEE Funds from HUD in the amount of \$42,700 to be used to move forward with a lawsuit. Lee Ann discussed the Pregnancy Accommodations Act that went into effect 5/17/2018. Lee Ann distributed to Board members the SCHAC Notices of Drafting to amend Regulation 65-24, Regulation 65-30, and Regulation 65-235, and the Board voted to accept all three (3). The Legal Department trained SCHAC staff in June on the Pregnancy Accommodations Act. The SC Bar Ethics Advisory Committee issued its Opinion on June 21, 2018, in response to SCHAC Legal Department's inquiry regarding the level of disclosure between attorneys in panel hearings. The regulation changes that Legal submitted during the Legislative Oversight Committee Audit process went into effect on May 25, 2018. Alex Pate, Sarah Gable, and Lee Ann presented to State and federal attorneys at the Attorney General's Office monthly CLE on July 20 for three (3) hours CLE credits to participants.

Commissioner Fragale asked Lee Ann how SCHAC will get information on the Pregnancy Accommodations Act to smaller employers. Lee Ann responded that SHAC will train the employers. Commissioner Fragale suggested that SCHAC also send information to the Chambers of Commerce so that they may share the information to their constituents and the general public. Lee Ann agreed that this was an excellent suggestion.

Legislative Update – Commissioner Fragale

Commissioner Fragale deferred the Legislative Update to Commissioner Buxton. Commissioner Buxton stated that he met with the Governor's office, and the Governor wrote a letter of support for SCHAC to substantiate SCHAC's request to HUD for SEE funds. Congressman Clyburn wrote a letter of support on behalf of SCHAC as well.

Personnel Update – Commissioner A.C. Williams

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

<u>Total</u>	As of 08/16/2018
<u>Employees:</u>	42 – Full Time Employees
	01 – State Temp – Larry McBride (Program Coordinator I – Mediator)
	43 – Total Employees
<u>Total</u>	04 – As of 08/16/2018
<u>Vacancies:</u>	<ul style="list-style-type: none"> • One (1) Program Coordinator I (Community Relations) – An offer has been made and accepted; Patrick Montgomery will be starting on September 4th • One (1) Program Coordinator I (EEO Enforcement) – An offer has been made and accepted; Nathania Anderson will be starting on August 22nd • One (1) Program Coordinator I (EEO Enforcement) – Position has been posted and is expected to close on August 24th • One (1) Program Coordinator I (Technical Services) – Position is not yet posted; anticipate posting date in early September
<u>Total</u>	00
<u>Terminations:</u>	
<u>Total Internal</u>	01 – Grisel Jackson – Bilingual Program Coordinator I (From EEO to Housing)
<u>Moves:</u>	
<u>Total</u>	04 – Yvette Critchfield – Program Coordinator I (Community Relations)
<u>Resignations:</u>	Timmie Gibson-Hatten – Program Coordinator I (EEO Enforcement) Erin Wilson – Program Coordinator I (Technical Services) Taylor Rhodes – Program Coordinator I (EEO Enforcement)
<u>Total</u>	00
<u>Retirements:</u>	
<u>Total New</u>	02 – Robin Rawls – Program Coordinator I (EEO Enforcement)
<u>Hires:</u>	Carlos Diaz – Bilingual Program Coordinator I (EEO Enforcement)
<u>Updates:</u>	<p>Robin Rawls has worked for the State of SC for 10 years and has been doing investigative work for 6 ½ years. She has a Criminal Justice degree and she also volunteers as a Guardian ad Litem. In her spare time she likes to spend time with her family, travel and stay active. She is currently in a women’s kickball league. She likes helping people and making a difference where it counts.</p> <p>Carlos R Diaz is originally from Allentown, PA. He joined the Army in 1993 and retired on August 1st, 2018, after 25 years of service in the Infantry. He has been married to Silke Diaz, originally from Kirn, Germany for 21 years. They have one son, age 20, who currently attends Winthrop University and is pursuing a teaching degree. They now call Blythewood SC home.</p>

Finance Update – Cheryl Ludlam

SCHAC Administrative Manager Christina Jordan presented the finance update in Commissioner Ludlam’s absence.

Christina reported:

For SFY 2018:

As of June 2018, SHAC has consumed:

State Funds:

Salaries (FTE's)	\$ 1,326,277.18
Salaries (Temps)	\$ 59,332.30
Employer Contributions	\$ 488,773.99
Other Operating Expenses	\$ 411,578.13
Per Diem (Board)	\$ 980.00
CRC Funds	\$ 6,751.70
Terminal Leave Payout	\$ 4,603.13
Subtotal - State Funds	\$ 2,298,296.43

Earmarked Funds:

Salaries (FTE's)	\$ 339,944.71
Salaries (Temps)	\$ 2,900.00
Employer Contributions	\$ 102,403.99
Other Operating Expenses	\$ 72,635.25
Terminal Leave Payout	\$ 1,126.26
Subtotal - Earmarked Funds	\$ 519,010.21

Federal Funds:

Salaries (FTE's)	\$ 201,590.70
Employer Contributions	\$ 67,989.05
Other Operating Expenses	\$ 55,222.14
Subtotal - Federal Funds	\$ 324,801.89

Total Expended:

**Total -
SCHAC \$ 3,142,108.53**

Approximately 91% of total budget was expended in SFY 2018. As Christina mentioned previously, SCHAC did have some carry forward in State funds in the amount of approximately \$179,487.

For SFY 2019:

As of July 2018, SCHAC has consumed:

State Funds:

Salaries (FTE's)	\$ 119,097.32
Salaries (Temps)	\$ 2,718.30
Employer Contributions	\$ 50,963.74
Other Operating Expenses	\$ 18,393.90

CRC Funds	\$ 643.20
Subtotal - State Funds	\$ 191,816.46

Earmarked Funds:

Salaries (FTE's)	\$ 27,086.54
Employer Contributions	\$ 14,949.88
Other Operating Expenses	\$ 552.55
Terminal Leave Payout	\$ 329.92
Subtotal - Earmarked Funds	\$ 42,918.89

Federal Funds:

Salaries (FTE's)	\$ 14,786.95
Employer Contributions	\$ 5,366.47
Other Operating Expenses	\$ 428.25
Subtotal - Federal Funds	\$ 20,581.67

Total Expended:

Total - SCHAC	\$ 255,317.02
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SCHAC currently has spent approximately 7.34% of total budget with approximately 8.33% of the year elapsed.

SCHAC has received a full budget request from the Governor, to include the additional \$100,000 in State funds requested for SFY 2019.

EEO Case production is down, requiring a contract modification.

Due to Housing's case production, closing over 100 cases in the previous fiscal year, Housing will receive an additional \$55,000 (approximate). Housing also received an additional \$42,700 for litigation efforts.

COMMISSIONER'S REPORT

Administration Update - Commissioner Buxton

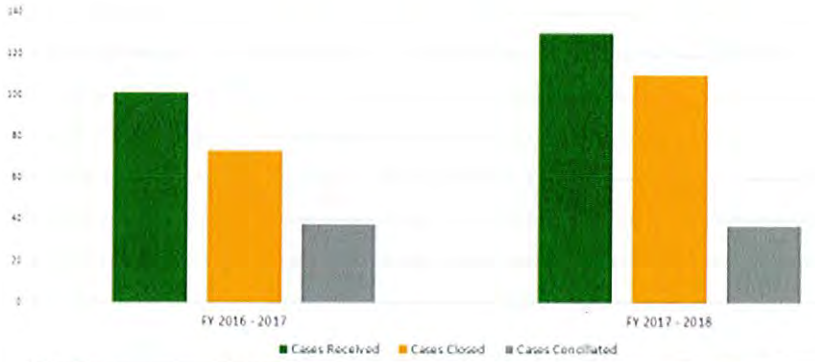
Commissioner Buxton stated that, due to Investigator turnover, SCHAC will receive a downward modification to the EEOC contract. SCHAC must complete 192 cases by the end of September to avert another downward modification. Commissioner Buxton praised the Housing Department for completing 100 cases. SCHAC will receive 20% of previous year's revenue for Housing case closure.

Housing Update - Marvin Caldwell

Marvin shared the following information with the Board:



Fiscal Year Comparisons



Fiscal Year	Cases Received	Cases Closed	Cases Conciliated
FY 2016 - 2017	101	73	38
FY 2017 - 2018	130	110	37



Monetary Value of Settlements



Fiscal Year	Monetary Value of Settlements
FY 2016 - 2017	\$34,558
FY 2017 - 2018	\$47,450

Marvin discussed the Housing Department’s continued efforts to maximize inventory at the end of the fiscal year. Chairman Oakland asked the size of the Housing Department staff. Marvin replied that Housing has four (4) Investigators, but for about half the year had only three (3). Commissioner Buxton commended Marvin and his staff, and praised Investigator Alyssa Barker

for her high closure rate. Chairman Oakland agreed and stated that the Agency is being well run by Commissioner Buxton.

CHAIRMAN'S COMMENTS

Chairman Oakland congratulated Commissioner Buxton on the year-to-date monetary value of Mediation Activity, which is \$100,000 more than the previous year.

BOARD MEMBERS' COMMENTS

Commissioner Brown congratulated Housing on their great turnaround and said Marvin is doing an excellent job. She welcomed new SCHAC employees, and thanked those who have served in the military for their service to our country.

Commissioner Case stated that she is proud of all the work SCHAC has done. She reminded Commissioner Buxton that she is available Tuesdays through Fridays if he needs her help for a few hours reviewing cases.

Commissioner Fragale stated that the Beaufort County Community Relations Council is doing very well and that he appreciates the work SCHAC is doing for the State of South Carolina.

The Reverend Commissioner Thompson expressed welcome to all the new SCHAC employees and thanked new SCHAC employee Carolos Diaz for his service to his country.

Commissioner Williams – Commissioner Williams stated that he appreciates the SCHAC staff is doing an outstanding job. He enjoyed the Emanuel 9 remembrance and thanked Anita Dantzer for the excellent program. He thanked the Board members for the timely responses to the Agency Head Evaluation survey. He extended a warm welcome to the new SCHAC employees.

Dan Koon – Administration Update

I. Report from Technical Services:

- Technical Services currently is running the statistical portion for Affirmative Action plan for each of the 90 State agencies from a January 1 snapshot of the agencies' employment data. Technical Services is taking the employee file and making sure information is correct. Then they submit this information to CAAMS, and calculations and updates regarding adjusted availability are made for the Report to the General Assembly, and then this data is sent to State agencies to review for accuracy.
- Sadly after five (5) years, Erin Wilson, left the Agency to work in the community where she lives, Charleston. She has shown a great work ethic and has been a great assistant in various ways to Technical Services and the Commission; she was able to help train new employee Lauren Caudle and get Lauren trained to perform the duties that Erin previously performed.
- Will be hiring Erin's replacement in September.
- Stephanie has been giving technical assistance to State agencies, and she also has been investigating employment complaints to assist us with the EEOC contract, which is a great asset.

II. Training:

Conducted EEO Employment Presentation at:

- Training for the following State agencies 1) SC Department of Natural Resources x 4, 2) SC Department of Vocational Rehabilitation x 3, 3) Georgetown County Government x 2, 4) Protection and Advocacy, 5) Santee Cooper, 6) Inclusion and Diversity group of SC Colleges and Universities, 7) First Steps SC.

III. Community Relations and Outreach:

- Unfortunately, Yvette Critchfield left our Agency for employment opportunity elsewhere, and Sandra has worked hard and found a replacement who is Patrick Montgomery, who has worked in public affairs and public information and will start to work at SCHAC in September.
- Continuing to work with Dr. Jennifer Gunter, the new Director of the South Carolina Collaborative for Race and Reconciliation, which is part of the Welcome Table SC Circles, sponsored by the USC. This is a promising program working towards matters of race and reconciliation.
- Sandra also is working with existing Community Relations Councils such as participating in a retreat with the Rock Hill CRC and contacting various partners in Community Relations such as ministerial alliances and the FBI and Justice Department.
- Community Relations staff and Dan also have worked with the Commission for Minority Affairs steering committee on their plan of "Forging New Pathways to Address Poverty in SC", and SCHAC participated in the final meeting in June that rolled out the plan to fight poverty in this State.
- Continuing to work with Dr. Graeme Coetzer of the College of Charleston to help form a CRC in Charleston and also to create a presentation to bring the Quality of Life initiative developed by Dr. Graeme to various communities. The plan to present the Quality of Life initiative to communities has been placed on hold until Patrick Montgomery can be brought up to speed to assist with the presentation.

Anita and Outreach

- Anita is producing a monthly CRC newsletter,
- Anita planned and organized 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.
- Anita works on 90 (e) and Public Accommodations cases.
- Anita has worked on the website update.
- Anita is planning a conversation on race in October with USC Welcome Table in conjunction with the Richland County Library regarding the title of "No Blame-No Shame."

EEO Enforcement:

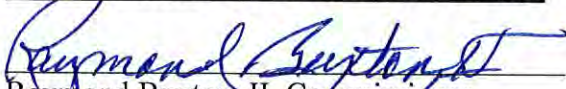
- At the end of July EEO Enforcement had approximately 513 active cases brought forward from the previous fiscal year.
- At the end of July there were 670 total submissions as of the end of July for 862 case contract.
- The contract was downgraded from 1,029 to 862
 - Leaving 192 cases to meet the contract, which would mean producing 96 cases per month to reach current contract.
- The factors that the Commissioner had to consider to downgrade the number of cases investigated were due to a number of matters that took place during the contract year, some to which include:
 - A) the loss of four (4) EEO Investigators leaving the Agency to seek other professional opportunities,
 - B) one (1) EEO Investigator transferring to Housing,
 - C) two (2) EEO Investigators promoted to supervisors,
 - D) Seven (7) EEO Investigators hired with less than one (1) year of employment investigation experience,
 - E) Leaving only four (4) Senior Investigators with an average of less than four (4) year's employment investigative experience,
 - F) a decrease in the number of mediations.
- Average case load for current five (5) Senior Investigators at end of July was 41. Average case load for new Investigators is 34.5.
- For the State fiscal year we investigated at end of June 862 cases compared to 1,012 cases at the end of June last year.
- On the bright side of EEO Investigations SCHAC has had some great training by the EEOC for Investigators recently.
- SCHAC has some very talented Investigators and some very talented new Investigators who are producing way over the minimum of cases that a new Investigator standardly produces.

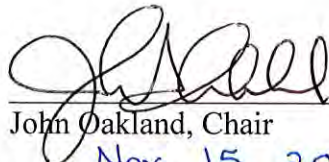
The meeting adjourned for lunch to be followed by Executive Session.

The next Board meeting is scheduled for **November 15, 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 Oakland, Chair

Date

Nov. 15, 2018