



Presenting the...

**SOUTH CAROLINA HUMAN
AFFAIRS COMMISSION**

Learning Objectives

- Why do we have laws regarding discrimination?
 - How and why was the SC Human Affairs Commission formed?
 - What does the SC Human Affairs Commission do?
 - What is the relationship between SC Human Affairs and a Community Relations Council?
-

Groups of people who have been subjected to discrimination during our country's history??

Declaration of Independence

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness...”



Significant Anniversaries

- 1863 Gettysburg Address
 - 1963 March on Washington
 - 1964 Civil Rights Act
 - 1972 S.C. Human Affairs Law
-



Laws Enforced by the Human Affairs Commission



- South Carolina Human Affairs Law
 - South Carolina Fair Housing Law
 - South Carolina Equal Enjoyment and Privileges to Public Accommodations
 - Federal Laws Prohibiting Discrimination
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EEOC LAWS ENFORCED



Title VII of the 1964 Civil Rights Act

Bans discrimination in employment because of race, color, religion, sex, or national origin.

Age Discrimination in Employment Act (ADEA)

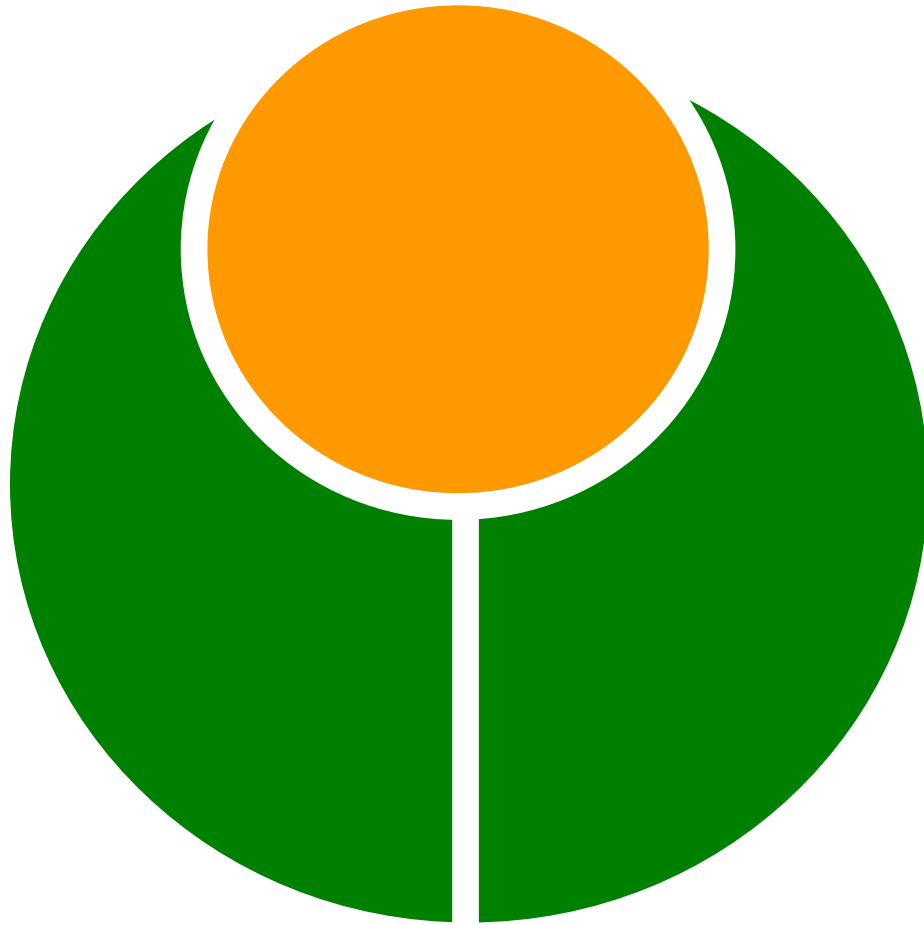
Makes unlawful employment discrimination because of age against anyone 40 years of age and older.

Pregnancy Discrimination Act

Amends Title VII and states that employment discrimination is prohibited when based on pregnancy, childbirth, and related medical conditions.

The Americans with Disabilities Act (ADA)

Prohibits employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments.

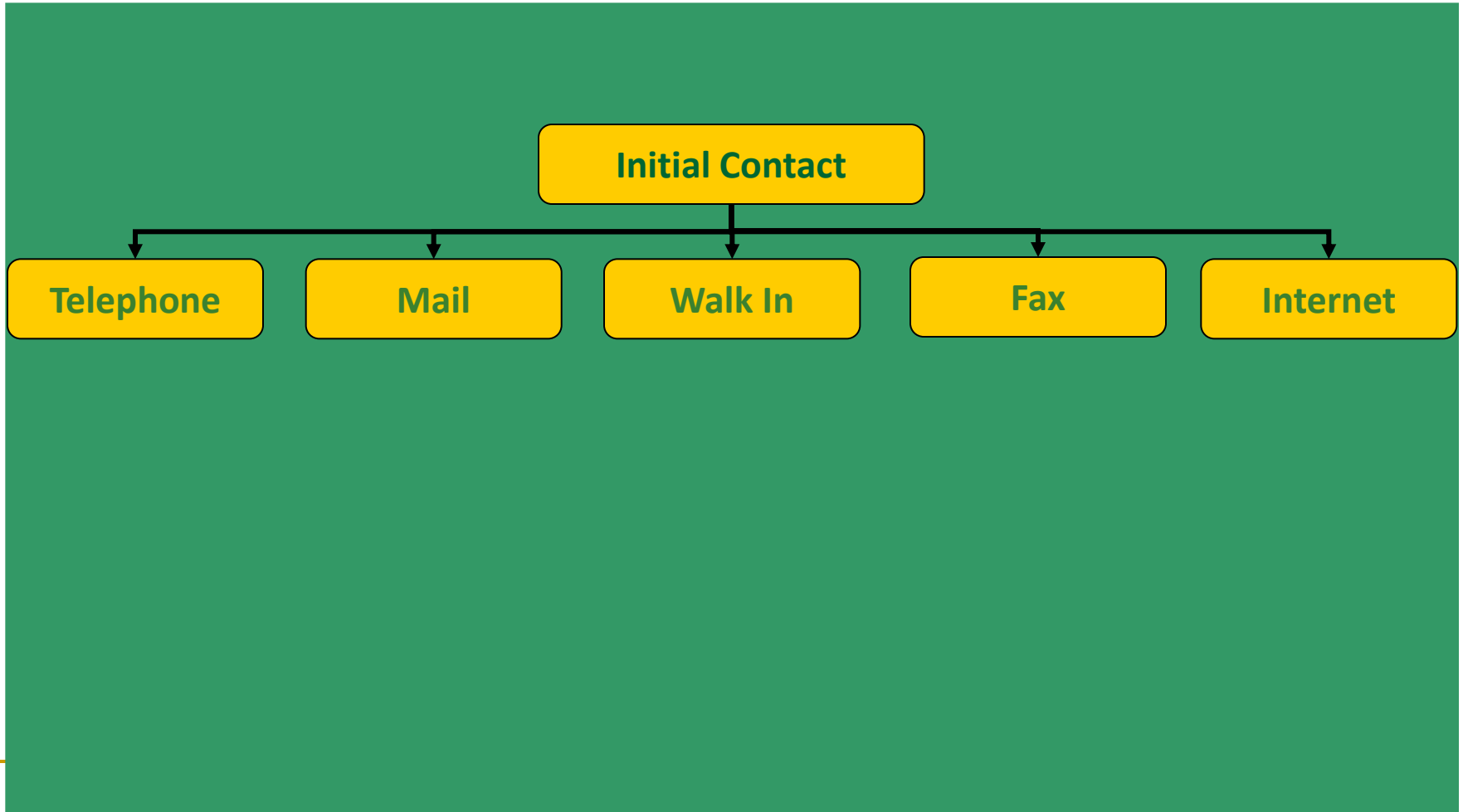


The Intake/Mediation/ Investigation Process



Discrimination Complaint Receiving Process

(Acceptance of Complaint)



Jurisdictional information

Complainant contact information

Respondent Information

Basis of Complaint and date occurred

Issue prompting Complaint

Respondent's apparent reason for adverse action

Complainant's allegations

Complainant's declaration of discrimination and laws violated

Complainant Certifications; sworn statement, notarization and signature

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input checked="" type="checkbox"/> FEPA <input type="checkbox"/> EEOC	
<u>S. C. Human Affairs Commission</u> State or local Agency, if any		and EEOC	
NAME (Indicate Mr., Ms., Mrs.) Ms. Jane Doe		HOME TELEPHONE (Include Area Code) (803) 737-7800	
STREET ADDRESS 2611 Forest Drive, Columbia, SC 29204		CITY, STATE AND ZIP CODE DATE OF BIRTH 10/10/1931	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME L & J Cafeteria		TELEPHONE (Include Area Code) (803) 333-3333	
STREET ADDRESS 2611 Forest Drive, Columbia, SC 29204		CITY, STATE AND ZIP CODE COUNTY 079	
NAME		TELEPHONE NUMBER (Include Area Code)	
STREET ADDRESS		CITY, STATE AND ZIP CODE COUNTY	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input checked="" type="checkbox"/> OTHER (Specify) Fepa		EARLIEST LATEST 08/31/2004 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
I. PERSONAL HARM: Through August 31, 2004 and continuing, I have been denied equal wages.			
II. RESPONDENT'S REASON(S) FOR ADVERSE ACTION(S): The Respondent has given no reason for the denial of equal wages.			
III. COMPLAINANT'S CONTENTION(S): I am employed with the Respondent as a Cook. I contend that I am being paid less than similarly-situated male employees even though we perform the same duties.			
IV. DISCRIMINATION STATEMENT: I, therefore, believe that I have been discriminated against because of my sex (female) in violation of the South Carolina Human Affairs Law, as amended, and Title VII of the United States Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date _____ Charging Party (Signature) _____		SIGNATURE OF COMPLAINANT _____	
		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Month, day and year)	

Matters subject to investigation to determine if laws were violated



Benefits to Mediation

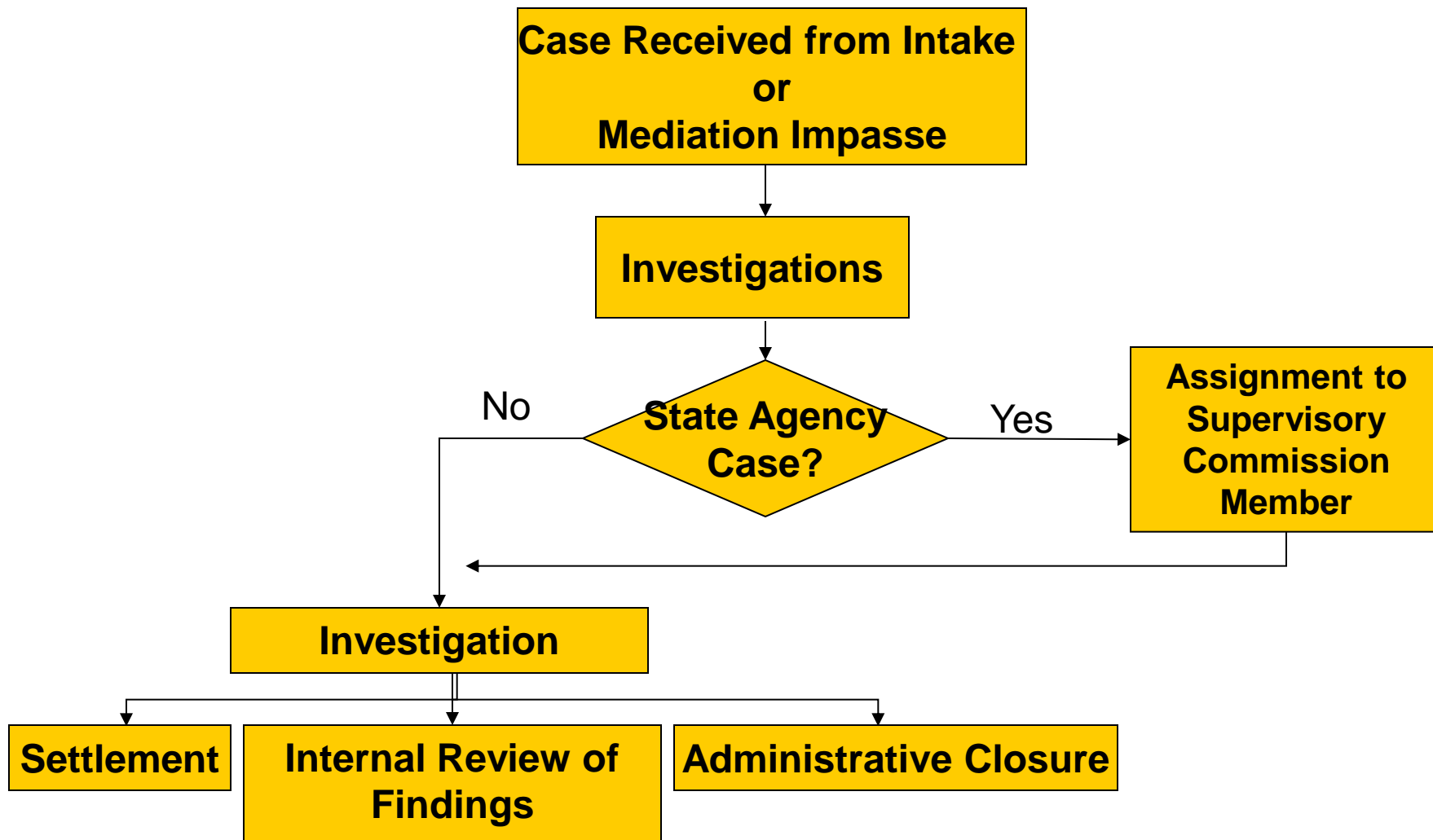


- A notice of Right to Sue is not issued
 - The case does not go to court
 - Saves time
 - Saves money
 - Resolves a complaint so that all parties are content
 - Discussion can result in solving other problems and issues
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The Investigative Process

Tracking a case from filing to final agency action

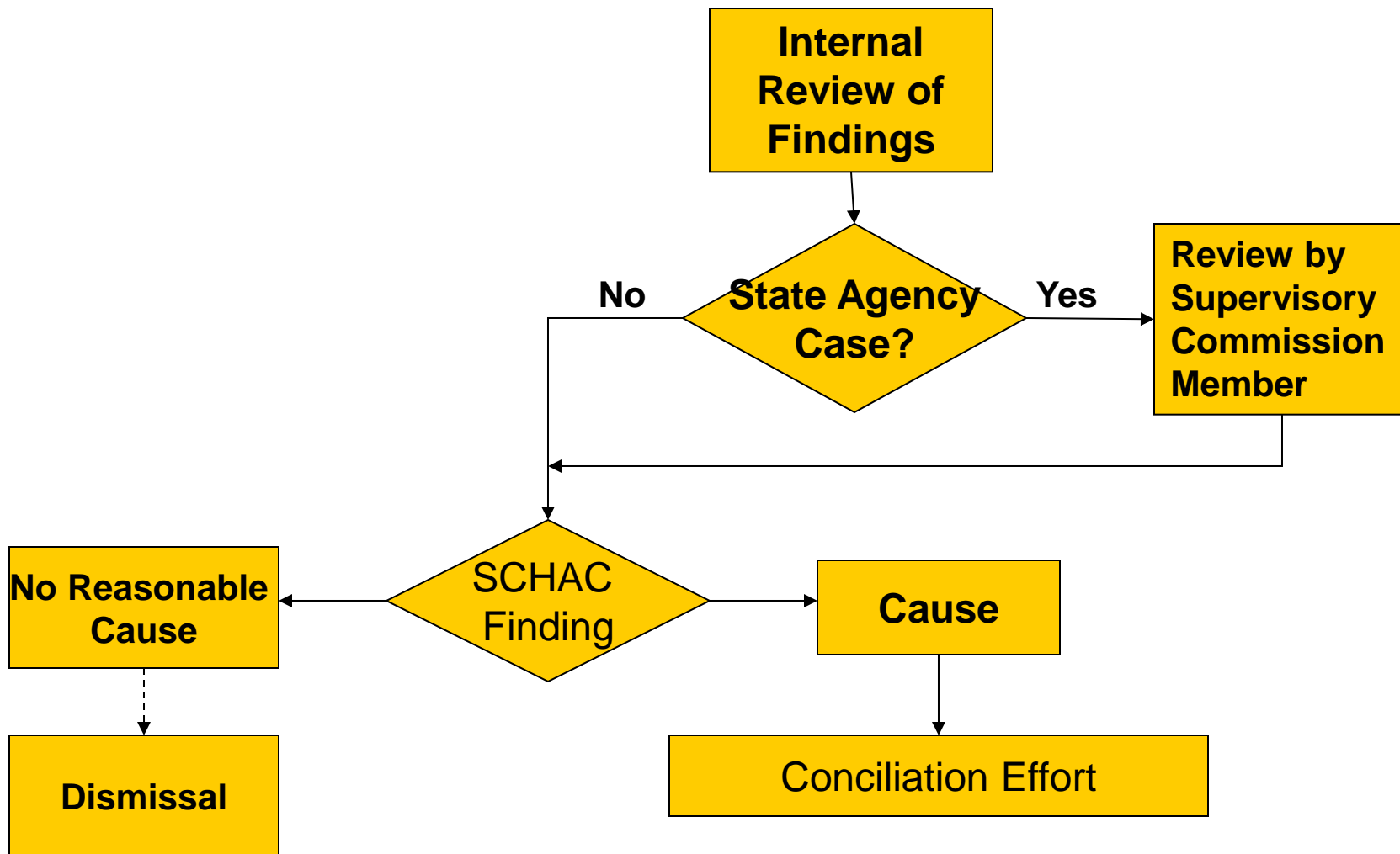




The Investigative Process (Con't)



Investigation is Concluded





State Human Affairs Law

Prohibits Employment Discrimination Based On:



RACE

COLOR

RELIGION

NATIONAL ORIGIN

SEX

AGE

DISABILITY



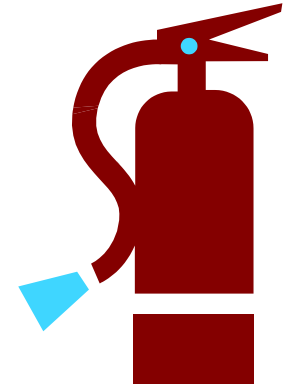
Techniques to Prevent Discrimination in Employment



- Practice Consistency
 - Document
 - Do the Right Thing
 - Apply Standards Equally
 - Choose Words Thoughtfully
 - Keep Accurate Objective Records
 - Apply the Golden Rule
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Prevention

- Train and Post Policies
- Provide for internal complaints
- Publicize efforts to prevent harassment
- Publicize policy
- Be fair



“To be kinder than necessary.”

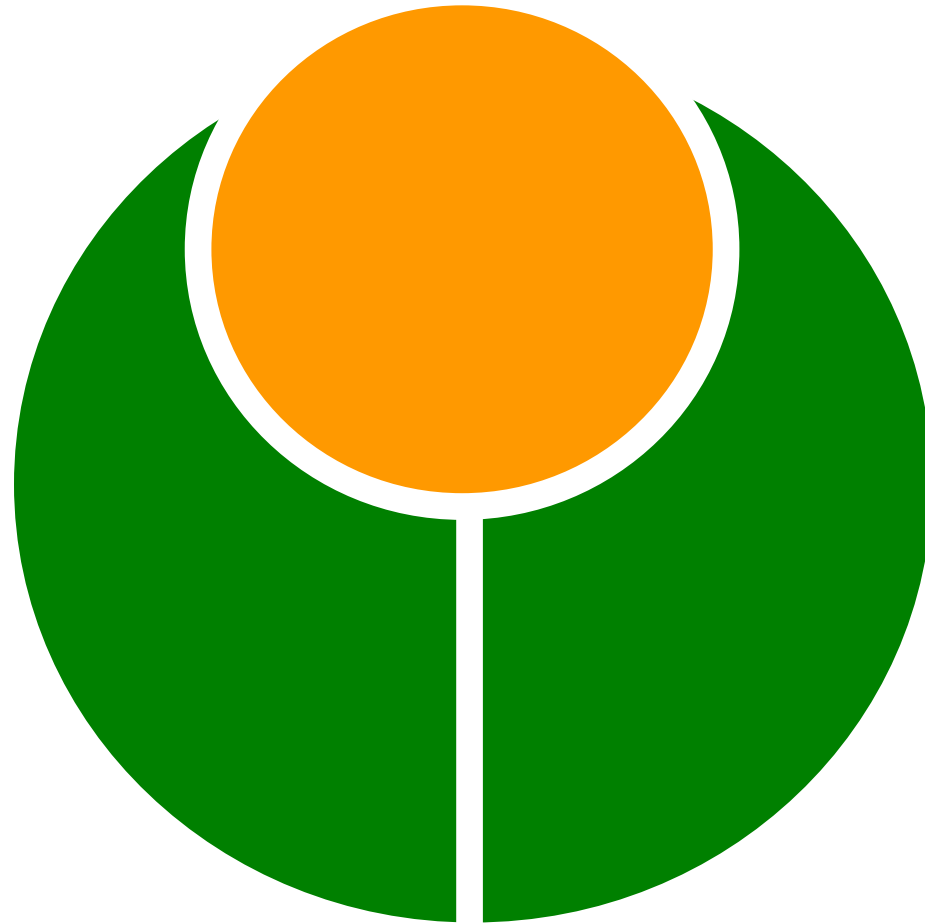
-Cynthia Hurd





“How are we going to develop trust and relationships with each other if we continue to stay in our separate corners? We can’t. ...if we’re going to be true to the charge of moving South Carolina and our nation forward, the actions have to move through each of us. If we want to bring opportunity to every American, we will have to work together. That requires commitment, open-mindedness, and a willingness to think differently by all of us.”

-Former Governor Nikki Haley



Community Relations



What is Community Relations?



"Community Relations" is the fostering of better relationships within a community through organized efforts to bring together cross-sections of people to resolve mutual issues which include, but are not limited to, law enforcement, education, business practices, government, and public accommodations.



Community Relations Councils



- Established throughout the state at local community levels to resolve problems locally
 - Mission of Human Affairs Commission is to work through these councils to carry out its mandate to improve relationships among the citizens of South Carolina
 - Counties considered geographical boundaries for operation of local councils
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FUNCTIONS OF A COMMUNITY RELATIONS COUNCIL



- A Community Relations Council:
 - Evaluates public attitudes
 - Identifies the issues of a community
 - Executes a program of action to earn public understanding, awareness and acceptance





FUNCTIONS OF A COMMUNITY RELATION COUNCIL (cont)



A council may also serve as a forum for hearing citizen's grievances and complaints relative to human relations with a view toward:

- ❑ Solving problems before they become a State or Federal crisis situation requiring official intervention.
- ❑ A conciliation mechanism between factions experiencing differences
- ❑ A bridge between local officials and citizens
- ❑ Building relationships and facilitating communication between people and entities in the community.



DOES YOUR COMMUNITY NEED A COUNCIL?

- All Community Relation Councils must have a clear **purpose**.
- To determine if your community needs a council, ask yourself a few questions:



Is there a mechanism in place in the community where citizens and organizations can come together to prevent future social crises?

Is there a mechanism available where a conciliatory body can resolve tension and conflict in an emergency or crisis situation?

Is there a need for fair and proper housing, education, transportation and health services where citizens can come together recommend strategies for the promotion of good relations?

Requirements for Establishing Official Recognition with the SC Human Affairs Commission

Any local Community Relations Council wishing to be officially recognized by the SC Human Affairs Commission must meet the following minimum requirements:

- ❑ Each council must be composed of at **least 5 or more** citizens organized for the purpose of promoting harmony, bettering human affairs, encouraging fair treatment and fostering mutual understanding and respect among local citizens
- ❑ Each council should have the **written endorsement** of the mayor, city or county councilmember, giving support for the council's programs and objectives.
 - ❑ If any local council is unable to obtain the expressed endorsement of its local government, they must have a membership of at **least 15 or more** local citizens.
- ❑ Each council's membership should be representative of the community at large with a fair representation of **all** racial and ethnic groups and a fair representation by sex.



Requirements for Establishing Official Recognition with the SC Human Affairs Commission (cont)

Each council wishing to be recognized by the SC Human Affairs Commission shall send to the Commission's Division of Community Relations the following:

- A copy of the council's bylaws or other documents creating the council, wherein the purpose of the council is clearly set forth
- a written endorsement by the mayor, city or county councilmember (if applicable)
- a list of the council's executive officers
- a statement setting forth the racial and sexual composition of the council's membership
- minutes of the first meeting establishing the council



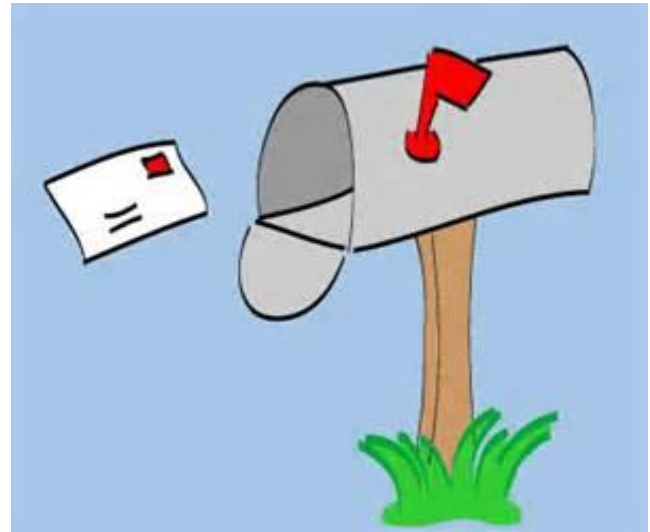
Requirements for Establishing Official Recognition with the SC Human Affairs Commission (cont)

Send all correspondence to
the below address:

SC Human Affairs Commission
Community Relations Division
P.O. Box 4490
Columbia, SC 29240

Or send directly to our new
location:

1026 Sumter Street, Suite 101
Columbia, SC 29201



How to Organize Your Community

- **To develop organization within your community and or Community Relations Council, you have to:**
 - **IDENTIFY** needs and goals of your community
 - Establish **PRIORITIES**
 - Develop **CONFIDENCE** and goodwill within your group
 - Find **RESOURCES** such as money, people, and materials
 - Take **ACTION** to accomplish goals
 - Evaluate **EFFORTS** (for future use)

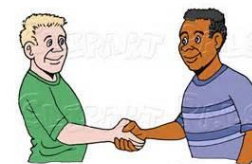
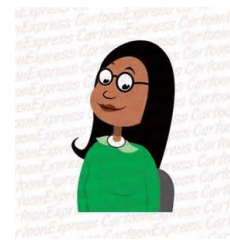


Who Can Be Apart of a Community Relations Council?

- Members of Community Relations Councils should include (but not limited to):

- Community/business leaders
- Community/business organizations
- Faith groups
- Governmental entities
- Grass Roots
- Others

All economic, social and racial groups, as well as geographic areas, should be represented and urged to participate



Who Can Be Apart of a Community Relations Council? (cont)

- A Community Relations Council **cannot** obtain the desired positive results if:
 - It **omits** any group that has a genuine interest in the improvement of community life
 - There is limited participation (everyone should be involved)
 - It doesn't include the involvement of the community's youth
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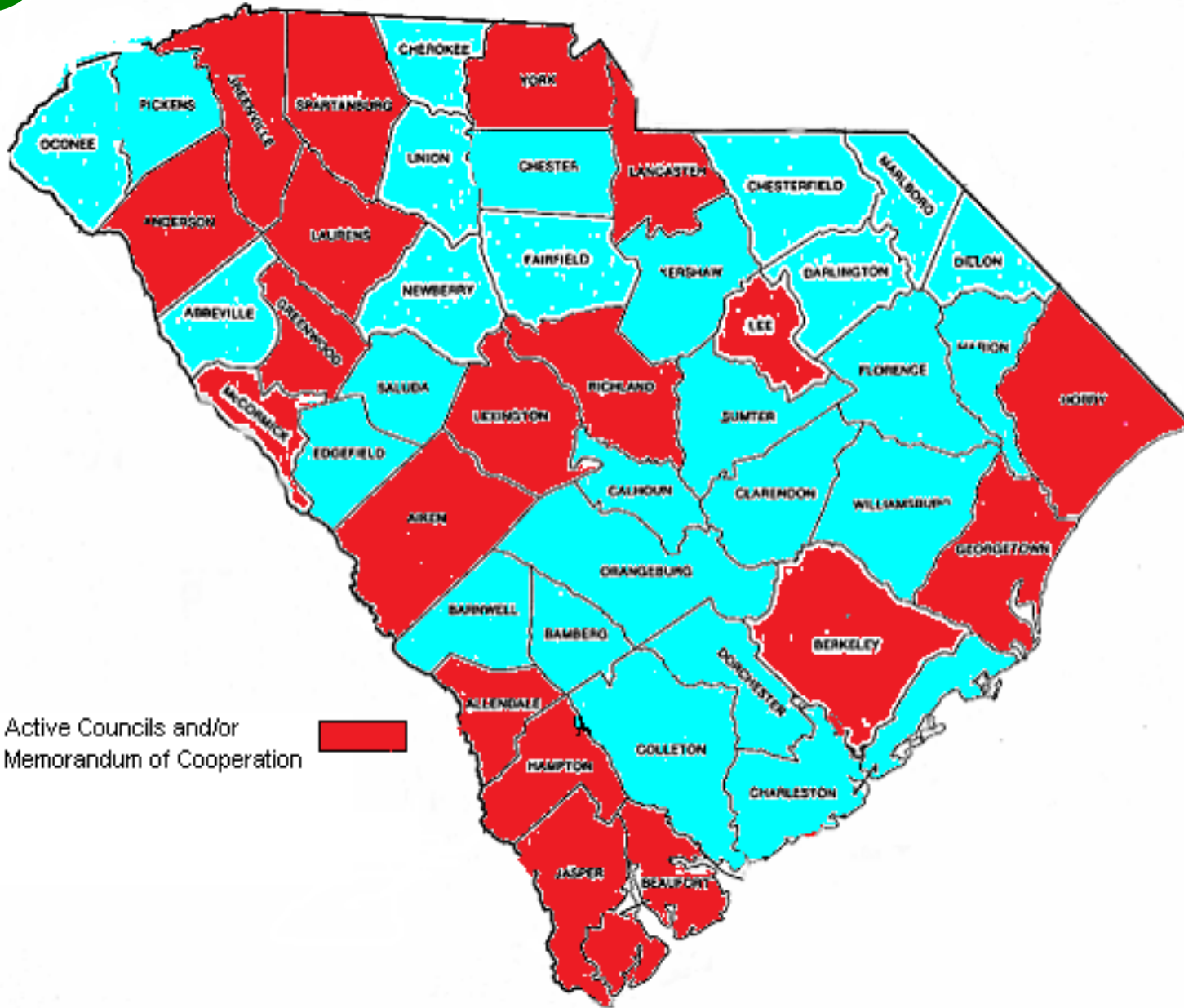
Responsibility of Members

- Accepting the following responsibilities and acting in accordance with them will aid in obtaining successful group action:
 - ❑ Respect for the personality and dignity of every individual should be maintained at all times.
 - ❑ Provisions should be made for a free exchange of ideas in dealing with council affairs.
 - ❑ The rights of equality of all members of the council should be protected.
 - ❑ Provisions should be made for growth of all individuals in the council.
 - ❑ A continuous quest for information should be maintained
 - ❑ A sense of loyalty should be developed
 - ❑ Cooperation and consensus among members should be fostered
 - ❑ Team thinking should be reflected by group activities.
 - ❑ In selecting projects, the abilities of the members, resources at hand, and the amount of time required to complete them, should be considered.





Community Relations Councils Statewide (FY2016)



Active Councils and/or
Memorandum of Cooperation





There still remains the unfinished goals of the civil rights movement and the civil rights movement is a critical part of the American movement and the American story. It's a movement in which every person, regardless of their skin color is treated equally under the law.

*-S.C. Governor Nikki Haley
speech at the National Press Club*

**“All men are created equal.. With certain rights..
Life, Liberty, and the pursuit of Happiness..**

- Do your part to prevent and eliminate
Discrimination**

Thank you!

**Presented by: Dan Koon- Deputy Commissioner
&**

**Saundra Ligon – Senior Community Relations Investigator
SC Human Affairs Commission**
