

# THE BULLETIN

SOUTH CAROLINA HUMAN AFFAIRS COMMISSION

## FROM THE COMMISSIONER

In 1972, the South Carolina Human Affairs Committee was charged with the responsibility of promoting harmony and improving human affairs in the state. Since that time, the South Carolina Human Affairs Commission has had the responsibility to investigate and prevent discrimination in the areas of employment, housing, and public accommodations. The Commission has also assisted in developing the capacity to prevent and eliminate discrimination at the grass roots level.

The Commission continues to efficiently and effectively fulfill the spirit of the South Carolina Human Affairs Law. Our mission is to eliminate and prevent unlawful discrimination in employment on the basis of race, color, national origin, religion, sex, age or disability; in housing on the basis of race, color, national origin, religion, sex, familial status (families with children under the age of 18) or disability; and public accommodations on the basis of race, color, national origin or religion.

Over the past few years, the Commission has faced this responsibility with substantially fewer dollars and reduced staff yet with commitment to the job of eliminating discrimination in South Carolina. The mission, vision, and values of the Commission have been carried out by dedicated employees and board members.

Major Foci: To ensure that the Commission remains a viable source to effectively administer laws as mandated by the General Assembly and to foster goodwill, respect, and mutual understanding among the people of South Carolina.

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Special points of interest:

- \* Commissioner's Overview
- \* Employment Issues
- \* Housing PSAs

## MEET SCHAC'S BOARD MEMBERS

Wade C. Arnette	Cheryl F. C. Ludlam	Chair
Ladson	Goose Creek	John A. Oakland
Susan D. Bowers		Aiken
Columbia	Melanie G. Stith	Vice Chair
Joe F. Fragale	Mt. Pleasant	Rev. Willie A. Thompson
Bluffton		Simpsonville

# COMPLIANCE AND COMMUNITY RELATIONS

## OUR ACCOMPLISHMENTS

The Compliance Division works to deliver quality services to South Carolinians to implement the mission and vision of the SC Human Affairs Commission. Intake, Age and Disability, Public and Private Sectors, and Mediation are components of the Compliance Division.

### INTAKE AND REFERRAL

Intake and Referral serves as the initial point of contact for employment, public accommodation and 90(e) complaints of discrimination. The employees are committed to making sure that the hundreds of voices alleging discriminatory treatment are heard. Intake officers are committed to fairness and the perfection of complaints in preparation for investigation.

Over the past quarter, the Commission has had a few cases where the agency has determined that the complainant was discriminated against because of his or her disability.

One such case involved a complainant with lung cancer. The complainant's employer (respondent) forced the complainant to take leave under the Family Medical Leave Act (FMLA) because the respondent alleged that the complainant's appearance deteriorated and unnerved customers.

The agency determined that the complainant's appearance was not unnerving.

The respondent would not conciliate, so the complainant is taking the matter to court.

In another case, a complainant suffered from Paruresis - more commonly known as "shy bladder syndrome." The complainant sought employment with the respondent, who required a pre-placement health assessment that included an observed drug screening. Because of the complainant's disability, she was unable to provide a specimen during the observed drug screening. She requested an accommodation by providing an alternative drug test.

The respondent declined and informed the complainant that one's failure to provide a specimen was considered a positive drug screen.

The job offer was rescinded. The agency determined that this violated the American with Disabilities Act (ADA). The parties settled, and the complainant received a \$12,500 cash settlement and the right to apply for further jobs with the Respondent.

### COMMUNITY RELATIONS

The Community Relations Division, in collaboration with members of the S. C. General Assembly and the Greater Columbia Relations Council, sponsored *Students for Civility Day* at the State Capitol on Tuesday, March 26, 2014. Fifty-three students, including all high schools in Richland and Lexington Counties, and some private high schools, attended the event. The purpose of the event was to promote civility and to educate our youth in the deliberative process designed to conduct government business. Community Relations plans to make *Students for Civility Day* an annual event by using a similar model with other community relations councils and elected officials in South Carolina.

The Community Relations Division, in partnership with the US Dept. of Justice Community Relations Division-Southeast Region IV, sponsored a workshop on Tuesday, May 6, 2014, at the SHAC office. Topics included Effective Community/Human Relations Councils and their role and purpose in promoting Community Understanding, Open Communication and Conflict Management. The facilitator was Walter Atkinson, Senior Conciliation Specialist with the Department of Justice in Atlanta. The event was attended by representatives from over 15 counties.

# HOUSING AND HOW TO FILE

## OUR ACCOMPLISHMENTS

### FAIR HOUSING

This quarter included fair housing outreach in April, which is designated as Fair Housing Month. The housing director and investigators spoke to realtors, community groups, and participated in the Greater Columbia Community Relations Council Fair Housing Month Forum.

During April, the Housing Division aired radio ads across the state, informing residents about their fair housing rights. They also produced and aired three PSAs which can be heard on WGCV-AM radio.

Also, for a reprint of *Discrimination is still a Problem*, an editorial written by the housing director, go to *The State* newspaper, Tuesday, April 29, 2014.

Cases based on disability continue to be the greatest number of cases investigated by the Commission, followed closely by race cases. Within the last two months, the agency has made three cause determinations. Two were conciliated, and one is in the conciliation process. Another cause case has been filed in court.

The Hispanic Outreach investigator conducted several ESL classes and spoke to GED classes about fair housing rights.

The housing division is available to conduct training. Continuing Education Units are now available for housing training.

### FILING A COMPLAINT

#### Employment

Must be based on one of seven protected classes: race, color, sex, religion, national origin, age, or disability

- \* 180 days to file with the Commission or 300 days to file with EEOC
- \* If the issue is covered, SCHAC will write complaint
- \* Investigator will attempt to negotiate settlement as case is investigated

#### Housing

Must be based on one of seven protected classes: race, color, sex, religion, national origin, familial status (families with children under the age of 18), or disability

- \* 180 days to file with the Commission or 1 year to file with HUD
- \* If the issue is covered, SCHAC will write complaint
- \* Investigator will attempt to conciliate as case is investigated

#### Public Accommodations

- \* Must be based on one of four protected classes: race, color, religion, or national origin
- \* 180 days to file with the Commission
- \* An investigator will be assigned

**SOUTH CAROLINA  
HUMAN AFFAIRS  
COMMISSION**

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*Our mission is to eliminate and prevent unlawful discrimination in employment, housing, and public accommodations.*



***Our new location***

**South Carolina Human Affairs Commission**

**Post Office Box 4490**

**Columbia, SC 29240**

**WE HAVE MOVED!**

The South Carolina Human Affairs Commission has moved.

We are now at 1026 Sumter Street, Suite 101, Columbia, SC 29201. Our post office box remains the same - P. O. Box 4490.

The Commission seeks to serve the public. We are conveniently located on the corner of Sumter and Senate streets. Our building is handicap accessible.

You may call, email, fax, walk-in, or mail us.

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