



STATE OF SOUTH CAROLINA



HUMAN AFFAIRS COMMISSION

Jesse Washington, Jr.
Commissioner

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September 15, 2010

Ms. Karen Rhinehart
Office of State budget
1201 Main Street, Suite 870
Columbia, SC 29201

Subject: FY09-10 Accountability Report for the South Carolina Human Affairs Commission

Dear Ms. Rhinehart:

Please find enclosed four (4) printed copies of the subject report detailing the activities of the South Carolina Human Affairs Commission this past fiscal year. An electronic copy of the same is being transmitted to the e-mail address Krhinehart@budget.sc.gov. Should you or anyone else have any questions regarding the submission of this report, kindly direct them to the Agency's contact person, Ms. Mary D. Snead, of my staff.

Sincerely yours,

Jesse Washington, Jr.
Commissioner

John A. Oakland
Chairman of the Board

Accountability Report Transmittal Form

Agency Name STATE HUMAN AFFAIRS COMMISSION

Date of Submission September 14, 2010

Agency Director Jesse Washington, Commissioner

Agency Contact Person Mary Dunlap Snead

Agency Contact's Telephone Number 803 737-7805

South Carolina Human Affairs Commission



The Annual Accountability Report

Jesse Washington Jr., Commission

From the Executive Commissioner

The State Human Affairs Commission has faced budget cuts over the past 10 years; this past year being the most severe. The financial crisis has had a significant impact on the Commission. We had to enact many costs saving steps. Some voluntary furloughs begun early in the fiscal year, and not filling vacancies created by employees who retired or left the agency prevented us from having to lay off employees. Despite these difficulties, the Commission has not waived from focusing on its mission to prevent and eliminate unlawful discrimination in South Carolina.

Our goal is to have the public rely on the Commission to resolve complaints in state, through the Commission's mediation and investigation process. If we are to succeed, it is crucial to South Carolina's well being that the public is aware of our enforcement activities and believes that we have handled discrimination complaints effectively.

To prevent unlawful discrimination we also encourage employees to take advantage of our discrimination prevention seminars. These programs familiarize managers and supervisors with the laws and regulations so they can prevent problems.

Jesse Washington Jr.



**2009-2010 Accountability Report
of the
South Carolina Human Affairs Commission**

Section I – Executive Summary

1. The mission of the South Carolina Human Affairs Commission is to prevent and eliminate discrimination because of race, religion, color, national origin, age, sex, disability, and (in housing) familial status, and to foster mutual understanding and respect among all people of the state. This mission is mandated by the South Carolina Human Affairs Law of 1972, as amended; the South Carolina Fair Housing Law; and the Equal Enjoyment and Privileges to Public Accommodations Law. Accomplishing the agency's mission is supported and driven by a commitment to a set of seven core values – accountability, customer service, fairness, integrity, loyalty, professionalism and teamwork – developed during a planning process which involved virtually every member of the Commission's staff.

The Commission seeks to prevent discrimination by providing training to both the public and the private sectors, assisting local communities in developing the means to address issues locally, and providing assistance to state agencies on meeting their affirmative action obligations to achieve an equal opportunity environment as established by the Legislature. The Commission works to eliminate discrimination through receipt, investigation and resolution of complaints of discrimination in employment, housing and public accommodations.

2. During state fiscal year 2009-2010 the South Carolina Human Affairs Commission successfully completed one contract with the U. S. Equal Employment Opportunity Commission (EEOC) for employment discrimination complaint resolutions and another with the U. S. Department of Housing and Urban Development (HUD) for fair housing complaint resolutions, and subsequently progressed well into new contracts with each of the two federal agencies. The Commission provided training opportunities to public and private sector employers across South Carolina, and worked with county and local governments, private organizations and interested citizens to address a variety of concerns which did not involve employment or housing issues.

3. The Commission's key strategic goals are (a) to increase the number of discrimination complaint resolutions attained, while reducing the average processing time and maintaining the qualitative standards which have consistently ensured the agency's actions withstand review by other relevant authorities, thereby providing our customers with timely, effective customer service; (b) to obtain the ability to enable Commission-provided training to generate a level of resources commensurate with its actual demand and value, thereby enabling the agency to better fulfill its preventative role; (c) to substantially enhance the level of support provided to assist local communities in developing their own means (for example, community relations councils) to address issues arising in and of concern to the communities; (d) to develop Spanish language fluency among a sufficient number of staff members to enable the Commission to serve the increasing number of Spanish-speaking residents who seek our services; (e) to develop fluency in American Sign Language among a sufficient number of staff members to ensure we are able to properly serve hearing-impaired customers; (f) to provide professional development opportunities appropriate to position and performance for staff members to meet the agency's

responsibility as an employer to develop our most valuable resource in order to enable individuals to reach their maximum potential to serve the state and its people, and to contribute to retention of employees of the caliber and performance which are critical to attaining and maintaining “an agency of excellence”; (g) to ensure that the agency obtains and retains the resources (financial, personnel, facilities and equipment) required to serve our customers at the qualitative and quantitative levels expected by the Legislature as well as our customers; and (h) to attain full state funding for the agency, thereby stabilizing the Commission’s financial structure and reducing the dependence of this state agency on federal funds and the control which often accompanies such dependency.

4. The state’s financial situation over several years of revenue shortfalls and the resulting state budget reductions reduced the Commission’s state appropriations by a cumulative total of over 43%. These reductions dealt damaging blows to an already small agency which has never experienced funding and resource levels commensurate with the level of statewide responsibilities which have been mandated for it over the years. The impact of these reductions has been particularly evident in terms of personnel, the key resource which is essential in carrying out the agency’s responsibilities as established by the Legislature. The agency’s state appropriations still remain well below the level prior to the series of budget reductions experienced by state government, although neither the demand for the agency’s services nor the responsibilities required of it by the Legislature have decreased.

During October, 2000, the Commission lost a key investigative staff member who could not subsequently be replaced due to financial constraints. The budget reduction imposed on the agency in state fiscal year 2000-2001 required that the agency’s sole Deputy Commissioner position (vacated by the retirement of the former incumbent) be left unfilled, requiring in turn that many of the duties and responsibilities of the former Deputy Commissioner be reassigned to other staff members, all of whom already had full time responsibilities, without the ability to properly compensate them for what is now required of them. Budget reductions also required a reduction-in-force of two filled FTEs, resulting in the loss of two individuals formerly employed in the Community Relations Division, reducing the agency’s ability to continue to assist local communities at established levels and crippling attainment of the goal to enhance those services. During state fiscal year 2001-2002, one of the agency’s most productive Intake Officers left state government to accept a higher salary and anticipated greater career opportunities offered by an agency of local government; once again, the Commission was unable to fill the resulting vacancy due to budgetary constraints. During state fiscal year 2002-2003, both the agency’s Legal Counsel and another productive Intake Officer left state government; the responsibilities of the former Legal Counsel were reassigned to the only other staff member who is an attorney, and the critical responsibilities he had been performing were reassigned as additional duties to other employees. The 2003-2004 budget reduction experienced by the agency was addressed by the imposition of an agency-wide five-day furlough, the cumulative result of which was to effectively shut the agency down for a period equal to the furlough period. On March 1, 2004, an experienced Investigator was transferred to the Intake Division to reinforce the agency’s ability to provide timely intake services; however, due to financial constraints he could not be replaced in investigations, and the agency’s complaint resolution capacity suffered a corresponding reduction which further increased the demands and pressures on the remaining investigative staff.

Staff turnover continued unabated during state fiscal year 2005-2006. Nine staff members (out of the agency's total staff of 43) retired during the year. The agency retained four of these individuals under contracts. However, five individuals – two Division Directors, the sole Procurement Specialist, a highly productive Investigator, and the Receptionist – left the agency. Losses of senior experienced personnel during state fiscal year 2006-2007 included the Administrative Assistant to the Commissioner and an exceptionally productive Investigator in the Fair Housing Division. The loss of so many senior staff members has had, and will continue to have, a significant adverse impact on agency operations.

The Commission's current staffing level is well below that required to deliver optimal service to South Carolina. Currently the Commission is approved for 47 full time equivalent positions (FTEs) but have 13 vacancies we are unable to fill due to budget constraints. The Commission is doing everything within its power to cross-train, engage in job enrichment or make use of demonstrated in-house talent as a means of delivering services to the state.

Due to the magnitude and the corresponding loss of resources, the cumulative impact of the series of budget reductions experienced by the Commission required the elimination of all expenditures not absolutely essential to basic day-to-day operations at a subsistence level. This eliminated the ability to fulfill many of the agency's longstanding strategic goals, including enhancing the agency's complaint resolution capacity, building staff fluency in either Spanish or American Sign Language, and providing the legitimate professional development opportunities which are critical to the future of the agency. This has not changed.

5. The Commission uses the accountability report to improve organizational performance both retrospectively and prospectively. The agency utilizes the report as a vehicle to review and assess its performance over the preceding state fiscal year, to identify trends, and to determine opportunities for improvement and critical needs. The agency also uses the report as a key basis for organizational planning to help determine how to effectively and efficiently meet its responsibilities with available resources and to set corresponding priorities.

Section II – Organizational Profile

1. The agency's main products and services and the primary methods by which they are delivered are:

- Intake and Referral Services (the products of which are formally filed complaints or referrals to other agencies or organizations), which are delivered via in-person contact, telephone, regular mail, e-mail, and Internet technology.
- Mediation Services (the products of which are successful mediations resulting in settlement agreements, or unsuccessful mediations which result in transfer of such cases for investigation), which are delivered via formal mediation conferences conducted either at the Commission's offices or at other sites by the agency's full-time and part-time Mediators.

- Complaint Processing and Resolution Services (other than mediations), the products of which are completed investigations, decisions on the merits, and (when appropriate) various types of pre and post-investigation settlements, and which are carried out via in-person contact and site visits, telephone, regular mail and e-mail.
- Training Services, the products of which are participants with enhanced knowledge and skills in terms of applicable state and federal laws, equal employment opportunity, and affirmative action practices And better equipped to prevent unlawful discrimination.
- Affirmative Action Program development assistance, and compliance monitoring and reporting, the product of which is the enhanced capacity of the recipients to prevent unlawful discrimination and ensure effective equal employment opportunity.
- Assistance to local communities, the product of which is local communities with enhanced capacity to address local issues and better serve their citizens.

2. The agency's key customer segments and their key requirements/expectations are:

- The individuals who file complaints of discrimination (Complainants). Their key requirements/expectations are timely assistance in filing their complaints; professional processing of their complaints and the resolution thereof through successful mediations, determinations on the merits, various forms of pre and post-investigation settlements, and other forms of final administrative action; and the provision of information which will enable them to better understand the process and their rights/responsibilities/options and make informed decisions.
- The Respondents against which such complaints are filed. Their key requirements/expectations are timely notice of complaints filed against them; professional processing of such complaints and the resolution thereof through successful mediations, determinations on the merits, various forms of pre and post-investigation settlements, and other forms of final administrative action; and the provision of information which will enable them to better understand the process and their rights/responsibilities/options and make informed decisions.
- The attorneys representing Complainants or Respondents. Their key requirements/expectations are professional processing of complaints involving their clients as either Complainants or Respondents; the opportunity to properly represent the legitimate interests of their clients; and the provision of information which will enable them to properly represent and advise their clients.
- The individuals who contact the agency for information and/or referral who do not subsequently file complaints of discrimination. Their key requirements/expectations are accurate information provided in a timely manner; assistance in identifying and understanding their available options; and assistance in identifying and contacting other potential sources of assistance when the matters of concern to them are not subject to the jurisdiction of the Commission.

- The agencies, organizations and individuals receiving training services and/or affirmative action program assistance. Their key requirements/expectations are the knowledge and assistance which will enhance their capacity to carry out their responsibilities to contribute to the prevention and elimination of unlawful discrimination.

- Local communities which receive assistance in developing local issue resolution capabilities. Their key requirements/expectations are the application of the Commission's professional experience and expertise to enable them to enhance their capacity to address local issues locally and thereby better serve their citizens and improve the quality of life in their communities.

- The EEOC and the HUD. Their key requirements/expectations are complaint processing activities (from intake through resolution) which fully meet their standards and on which they can rely; the maintenance of an effective relationship as partners in carrying out mutual responsibilities; and the timely fulfillment of all contractual obligations and responsibilities.

3. The Commission's key stakeholders (other than customers) are the general citizenry, both individual and corporate, of South Carolina; the Governor and the Legislature; other organizations which share the Commission's interest in the well-being of and the quality of life in the state; and the members of the agency's staff.

4. The agency's key suppliers and partners are the taxpayers of South Carolina; the agencies and organizations which serve as referral sources; the organizations which provide the Commission with information and other assistance; and the vendors from which the agency purchases goods and services.

5. The Commission has one operation location, which is located at 2611 Forest Drive, Suite 200, Columbia, South Carolina 29204.

6. The Commission has a total of 47 positions (FTES), 13 of which are unfilled due to lack of funding; consisting of one unclassified employee (the Commissioner) and 46 classified employees.

7. The regulatory environment under which the Commission operates is the same as that under which other state administrative agencies operate. The Commission does not produce products or services with potential adverse environmental impacts, nor does it engage in construction or other activities subject to unique regulatory requirements. However, the Commission enforces state laws affecting particularly sensitive and important issues with direct impact on fundamental fairness and the quality of life in our state. The Commission is subject to these laws in the same manner and to the same extent as any other employer in South Carolina. However, due to its unique position, the agency must do more than just comply with the minimum standards of the laws it implements toward others; it must set an example which is consistently above reproach in all respects. This is the unique aspect of the regulatory environment of the South Carolina Human Affairs Commission.

8. The Commission's key strategic challenges are:

Operational: The Commission's resource levels remain far below those available prior to the series of state government-wide budget reductions. However, neither the responsibilities required of the agency nor its workload (and the corresponding qualitative and quantitative standards of performance expected of it) were commensurately reduced; indeed, all either remained constant or increased. The operational systems of the agency – and the personnel who make them work – are working well beyond standard and have been doing so for an inappropriately extended period of time. This places the agency in a very precarious position. For example, any further reduction of the agency's state appropriation will cut directly into the resources required for service delivery, which will in turn require decisions by the appropriate authorities about which legislatively-mandated services are no longer to be provided. The loss of any of the agency's experienced, high performing staff members will have an immediate, negative impact on service delivery capacity. The failure of essential equipment will require the transfer of essential funds from other critical needs, which will in turn have its own adverse impact.

Human Resources: The Commission's current staffing level is substantially below that legitimately required to continue to deliver the services required by the Legislature at the qualitative and quantitative levels expected of the agency. The ongoing retirements of a large portion of the agency's most experienced, productive staff members will further undermine the agency's continued viability, as will the agency's continued inability to invest in professional development opportunities commensurate with position and performance. Prior staff reductions have resulted in significant additional responsibilities and expectations being placed on a number of remaining staff members who already had (and have) full-time work responsibilities without the ability to properly recognize and compensate these individuals for the additional demands imposed on them. The agency continues to rely on these professionals to fulfill the additional responsibilities while carrying out their other duties in full or better; however, these staff members have legitimate goals for career growth and advancement as well as personal obligations and interests outside the work setting, so the agency cannot reasonably and realistically expect them to indefinitely continue serve at such levels without looking elsewhere for greater career potential and improved quality of work life.

Financial: Obtaining and maintaining the financial resources required to fully carry out the responsibilities assigned to the agency by the Legislature. The historic underfunding of the agency was exacerbated by the series state government-wide budget reductions necessitated by state revenue shortfalls. The results have included the inability to fill critical positions, elimination of the ability to fulfill many of the agency's longstanding strategic goals, the elimination of all expenditures not absolutely essential to basic day-to-day operations at a subsistence level (including the inability to replace aging equipment in a timely, planned manner resulting in increased maintenance/repair costs, increased "down time", and lost productivity), and the inability to compensate employees at levels commensurate with their responsibilities and performance.

Community-Related: Community outreach and education are essential to ensuring that our citizens, both individual and corporate, understand their rights and responsibilities and are aware

of the role of their state government in addressing those issues and providing services to them. Developing and maintaining such understanding and awareness require maintaining an agency “presence” within the community, both at the local level and statewide, one which requires ongoing contact and communication through a variety of means and goes well beyond the voluntary civic participation of individual staff members. The demands currently placed on the agency’s diminished resources just to maintain basic operations present the potential risk of an ever-increasing deficit in this necessary understanding and awareness due to the inability to conduct the requisite outreach and education.

9. The Commission’s performance improvement system, which is applicable to all activities, is a continuous process seeking continuous improvements and consisting of: review of standards (qualitative and quantitative) and goals in light of actual and anticipated resource levels; comparing actual performance against standards and goals; identifying discrepancies between actual performance and the relevant standards and goals; determining and implementing measures to address negative discrepancies; determining and implementing measures to maintain and if possible enhance positive discrepancies; and evaluating the results of the measures taken in each instance.

10. The agency’s employed staff functions under the guidance of a fifteen-member board of citizens (Commission Members) appointed by the Governor. The Commission Members serve as the policy-making body of the agency, serve in an oversight capacity for agency operations, and review and approve findings and decisions regarding complaints of employment discrimination filed against agencies of state government. The Commission Members recommend and the Governor appoints an agency head, the Commissioner, who is the agency’s chief executive officer. The Commissioner is ultimately responsible for daily operations, including hiring, assigning staff members and other resources, managing the agency, and carrying out policy as set by the Commission Members.

The agency’s structure is divided into three general areas: the Administration Unit, the Compliance Programs Unit, and the Consultive Services Unit.

The Administration Unit is composed of the Office of the Commissioner and the elements which provide staff support to the agency and to the line elements. The staff elements include Fiscal; Legal Counsel; Human Resources; Purchasing; and an Executive Assistant to the Commissioner who provides coordinating services for various agency elements and activities.

The Compliance Programs Unit, one of the agency’s two principle line elements, is composed of the Intake Division, which provides intake, information and referral services; three divisions – Age and Disability; Private Sector; and Public Sector – which provide employment discrimination complaint investigation/resolution services; the Fair Housing Division, which provides fair housing complaint investigation/resolution services; and Mediation Services, which provides professional mediation assistance to Complainants and Respondents seeking to resolve complaints of employment discrimination without a formal investigation of the merits.

The Consultive Services Unit, the second of the agency’s principle line elements, is composed of two divisions. The Community Relations Division works with local communities as previously

described, provides public accommodations complaint investigation/resolution services, and conducts the agency’s A-95 circular review process. The Division of Staff Development, Training and Technical Services provides training to state agencies and other entities, assists state agencies with the development of affirmative action plans, prepares the annual report to the Governor and the Legislature on the status of state agencies’ affirmative action plans, and conducts compliance reviews and impact studies annually for state agencies.

Each of the line divisions is composed of a Division Director and the professional staff (Intake Officers, Investigators, Community Relations Consultants, and Technical Services EEO Consultants) necessary to provide the services required of each of the respective divisions.

11. Expenditures/Appropriations Chart

Accountability Report Appropriations/Expenditures Chart						
Base Budget Expenditures and Appropriations						
	FY 08-09 Actual Expenditures		FY 09-10 Actual Expenditures		FY 10-11 Appropriations Act	
Major Budget Categories	Total Funds	General Funds	Total Funds	General Funds	Total Funds	General Funds
Personal Service	\$1,684,124	\$1,164,873,	\$1,499,477	\$941,716	\$ 888,297	\$344,911
Other Operating	\$359,493	\$218,662	\$377,347	\$198,087	\$253,911	\$52,408
Special Items			\$49,876			
Permanent Improvements						
Case Services						
Distributions to Subdivisions						
Fringe Benefits	\$496,443	\$349,836	\$460,781	\$300,929	\$399,905	\$243,766
Non-recurring			\$16,697	\$9,086		
Total	\$2,540,060	\$1,733,371	\$2,404,178	\$1,449,818	\$1,542,113	\$641,085
		Other Expenditures				
		Sources of	FY 08-09	FY 09-10		

		Funds	Actual Expenditures	Actual Expenditures		
		Supplemental Bills	\$4,103	\$9,086		
		Capital Reserve Funds	\$20,000	\$ 7,611		
		Bonds				

12. Major Program Areas Chart

Program Number and Title	Major Program Area Purpose (Brief)	FY 09-10 Budget Expenditures			FY 10-11 Budget Expenditures			Key Cross References for Financial Results*
I. Administration	To provide administrative direction, control and support for the agency.	State:	599,133		State:	540,183.00		7.2, 7.3, 7.4, 7.5
		Federal:	---0---		Federal:	---0---		
		Other:			Other:	11,522.00		
		Total:	599,133.00		Total:	551,705.00		
		% of Total Budget:		23%	% of Total Budget:		23%	
II. Consultive Services	To provide technical services, training, equal opportunity reporting and community relations consulting services.	State:	229,061.00		State:	189,533.00		7.1d1, 7.1e1, 7.1f-1, 7.1g-1
		Federal:	---0---		Federal:	---0---		
		Other:	79,812.00		Other:	45,557.00		
		Total:	308,873.00		Total:	235,090.00		
		% of Total Budget:		12%	% of Total Budget:		10%	
III. Compliance	To provide intake, referral,	State:	595,341.00		State:	410,087.00		7.1a1, 7.1b, 7.1c

Programs	investigative, mediation and complaint resolution services.								
		Federal:	138,518.00		Federal:	168,691.00			
		Other:	441,752.00		Other:	511,252.00			
		Total:	1,175,611.00		Total:	1,090,030.00			
		% of Total Budget:		45%	% of Total Budget:		46%		
IV. Employer Contributions		State:	347,999.00		State:	300,929.00			
		Federal:	31,546.00		Federal:	38,346.00			
		Other:	116,898.00		Other:	121,506.00			
		Total:	496,443.00		Total:	460,781.00			
		% of Total Budget:		9%	% of Total Budget:		19%		
V. Non-Recurring Appropriation	To provide non-recurring support for agency personnel	State:	4,103.00		State:	9,086.00			
		Federal:	---0---		Federal:	---0---			
		Other:	---0---		Other:	49,876.00			
		Total:	4,103.00		Total:	58,962.00			
		% of Total Budget:			% of Total Budget:		2%		
Below: List any programs not included above and show the remainder of expenditures by source of funds.									
Capital Reserve Funds: Information Technology Up-grades									
	Remainder of Expenditures:	State:	---0---		State:	---0---			
		Federal:	---0---		Federal:	---0---			
	Capital Reserve Funds Operations	Other:	20,000.00		Other:	7,611.00			
		Total:	20,000.00		Total:	7,611.00			
		% of Total Budget:		1%	% of Total Budget:		0%		
* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.									

Section III – Elements of the Malcolm Baldrige Award Criteria

Category 1 – Leadership

1. a) Short-term direction and organizational priorities are set through consultation with Commission Members (the entire board and/or committees of the board, as appropriate), the agency's management team, and other staff members as appropriate on a case-by-case basis. These consultations incorporate input received from the Governor, the Legislature, the EEOC, the HUD, and constituent groups. Direction and organizational priorities are deployed through the members of the management team; promulgation of necessary policies and procedures; and by goals, objectives and standards required to implement the decisions establishing direction and priorities. Direction and organizational priorities are communicated through a variety of means intended to maintain an ongoing flow of two-way communications, including agency staff meetings, issuance of memoranda and written guidance if necessary; division-level staff meetings; and day-to-day communications by all members of the management team with staff as well as with peers.

b) Performance expectations are set by management in consultation with affected staff members based on review of the agency's responsibilities, goals and objectives; assessment of anticipated resource levels; review of current performance levels and opportunities for improvement; assessment of external factors which may impact the agency in the reasonably foreseeable future; and prioritization of activities in light of demand for services and the supply of resources available. Performance expectations are deployed through agency policy and, to the individual level, through performance evaluation criteria and standards. Performance expectations are communicated through staff meetings at the agency and division levels, through various forms of written guidance, and through individual meetings (both formal and informal) of management with staff members.

c) Organizational values were identified during the agency's first strategic planning effort, a process which involved virtually every agency staff member. The extensive discussions over a period of many weeks resulted in the identification of seven overarching values, which were then reviewed, discussed and approved by the agency's board (Commission Members). Deployment occurred through the participation of the staff, and ultimately of the board, in the identification and adoption of these values. These values are communicated and reinforced through publication, through referral to them by the Commissioner and by members of the management team during staff meetings and one-on-one conversations, and by their conspicuous display in the agency's board room which is regularly used by all staff members.

d) Empowerment and innovation are "set" through management's recognition of the knowledge, skills and abilities of all agency staff members; its emphasis on responsibility and accountability; its appreciation for creativity, enthusiasm and responsibly exercised initiative; its commitment to providing opportunities for professional growth and development; and its acceptance of good-

faith mistakes and failures as learning opportunities which are inevitable in a dynamic, participatory environment. Empowerment and innovation are deployed through the chief executive's emphasis to management of his expectations for such an approach, by his personal modeling of that approach, and by management's parallel implementation of that approach. Empowerment and innovation are communicated by active solicitation of ideas and input; by timely consideration of suggestions, by implementation of approved recommendations, and by feedback regardless of the action taken; by actively seeking to provide opportunities for decision-making, supporting those efforts but not "taking over" either the process or the decision; by working with staff members to help them learn from the decision-making experience; and by acknowledging and appreciating initiative, input and legitimate decision-making even when the results are less than optimal.

e) Organizational and employee learning are set by the agency's commitment to improvement and recognition that improvement is founded on attaining, maintaining and increasing knowledge at both the organizational and the individual levels; by the agency head's affirmative commitment to developing a true learning organization; by widespread, intra-staff awareness of the agency's history of support for professional growth and development; and by the recognition that the agency's low turnover, low growth and long tenure of staff members (except for unusual years such as experienced by the agency during state fiscal years 2005-2007 and as it will experience during the next state fiscal year due to a large number of approaching retirements) mean that unless organizational knowledge is captured and protected and every appropriate opportunity is taken to train and develop staff resources, the agency will suffer significant losses as long-serving staff members retire or otherwise leave the agency to pursue career growth and other opportunities. Organizational and employee learning are deployed through efforts to ensure that policies, procedures and practices are properly documented and kept up-to-date; that best practices are identified, documented and shared; that even day-to-day activities, as well as unique situations, are viewed as learning opportunities; and that every member of the staff is encouraged to share his/her insights, experiences and "lessons learned" (what did not work, as well as what did; to what effect; and why). Organizational and employee learning are communicated through agency and division staff meetings, through publications, and through ongoing vertical and horizontal interactions.

f) Ethical behavior is set through the identification and reinforcement of the agency's mission, vision and values; through the formal requirements of the state ethics law; through the Commissioner's personal emphasis on ethical standards and conduct; and by the agency's emphasis on accountability and responsibility. Ethical behavior is deployed through the staff's participation in identification of the agency's values; through posting the formal requirements of the state ethics law; and through the agency head's modeling, and that of the other members of the management team, of the expected standards and conduct. Ethical behavior is communicated through publication and display of the agency's mission, vision and values; through staff training on the requirements of the state ethics law; through presentation and discussion of ethical standards and conduct in agency staff meetings and in personal interactions; and by acknowledging and reinforcing behavior which exemplifies such standards and conduct.

2. The Commission's senior leaders establish and promote a focus on customers and other stakeholders through a variety of means. These include customer service training for managers

and staff; defining and discussing many relationships in terms of customers (rather than only in more distant, impersonal terms like “Complainant” or “Respondent”) and/or stakeholders in order to raise and enhance awareness; raising and discussing customer/stakeholder topics and issues during agency and division staff meetings; reviewing customer input (letters, etc.), stakeholder input, and available satisfaction measures; talking with (face-to-face, telephone) customers and stakeholders; sharing observations, assessments and recommendations with staff members on both a group and an individual basis, and recognizing and expressing appreciation for staff members’ efforts to serve customers and stakeholders (including one another) in a manner at least consistent with the agency’s expectations.

3. The Commission addresses the current and potential impact on the public of its products, programs, services, facilities and operations by ensuring all staff members are properly trained to fulfill their duties and responsibilities; by monitoring adherence to standards; by constantly seeking methods to improve performance while at least maintaining current standards; by welcoming input and constructive criticism from both external and internal sources; and by stressing during staff meetings and other interactions the impact that our actions have on concerns, interests and even the lives of our fellow South Carolinians. Regarding the current and potential impact of facilities-related issues, the agency monitors the maintenance of our one facility; any problems and other issues related to its utilization by the agency, by its customers and by its stakeholders are brought to the attention of our landlord and followed up as necessary to ensure resolution.

4. Senior leaders maintain fiscal, legal and regulatory accountability by maintaining familiarity with the applicable standards; insisting that the spirit as well as the letter of such standards be fulfilled; carefully reviewing – and acting on, if necessary – the results of all fiscal and operational audits, reoccurring and special reports, contract performance reviews, and related documents; and holding the responsible personnel accountable for compliance.

5. Senior leaders regularly review a number of key performance measures, including monthly and annual total final actions attained (by individual Investigators and by overall total); final action totals divided by type; on a monthly and an annual basis, average processing time by individual Investigators as well as overall; customer service input received from Complainants and Respondents; training requests, the number of attendees, and the training evaluations received from attendees; reports from the agency’s Fiscal Officer regarding adherence to the agency’s budget and expenditure goals, etc.; and the occurrence of any unusual or unanticipated events which reflect or otherwise impact on performance.

6. Organizational performance review findings and employee feedback are reviewed and discussed during regular and special meetings of the management team to assess their content, analyze their meaning and determine how they may best be used to improve leadership and managerial effectiveness. Individuals who receive feedback from staff members are encouraged to take advantage of that feedback as a positive resource, to consider its applicability and potential benefit, and to share the lessons learned with the other members of the agency’s leadership. The personal actions of senior leaders reflect a commitment to the organizational values of the Commission through their modeling of those values as reinforcing examples for

staff, in their willingness to receive and genuinely consider feedback, and through their commitment to seek and support opportunities for staff development.

7. The agency's senior leaders promote succession planning by identifying succession planning as an agency priority and as a critical responsibility of every leader regardless of organizational level, by consistently setting an example of effective succession planning for subordinate leaders and potential leaders, by following up to ensure that subordinate leaders are engaging in succession planning, and by assisting subordinates in their succession planning efforts.

Senior agency leaders participate in succession planning and the development of future leaders by:

- Determining the knowledge, skills and abilities which are now required by the agency in leadership positions as well as those which will be required in the reasonably foreseeable future;
- Assessing current personnel resources to determine the presence or lack of the identified knowledge, skills and abilities within the agency;
- Identifying means to remedy the lack of any identified knowledge, skills and abilities (including costs, time requirements, and related issues);
- Determining a schedule of prospective vacancies which can reasonably be anticipated in the foreseeable future (for example, retirements), while recognizing that some vacancies will occur which could not be anticipated;
- Identifying all potential internal candidates for all leadership positions;
- Identifying the readiness of each potential internal candidate in terms of the degree to which he/she possesses the requisite knowledge, skills and abilities;
- Consistent with available financial and other resources and prioritization of positions (in terms of likely vacancy, the timeframe in which a vacancy might occur, and the impact on the agency of a vacancy, including one which occurs unexpectedly in the near term), provide learning opportunities which address identified deficiencies in one or more of the identified qualifications;
- On a continuing basis, provide opportunities for potential internal candidates to actually experience the role, responsibilities and tasks of leadership positions one level up from their current positions, under the supervision of the position incumbent; and
- Provide feasible support for personal professional development activities initiated by individual staff members.

8. Senior leaders of the agency create an environment for performance improvement, accomplishment of strategic objectives, and innovation by:

- Viewing, and encouraging others to view, every current policy, procedure, practice, approach and past level of performance as temporary and amenable to improvement;
- Stressing every staff member’s responsibility for helping to identify opportunities for improvement and means to achieve improvement;
- Welcoming input and constructive criticism from all sources, external as well as internal;
- Reviewing key performance measures seeking indicators of areas for potential improvement;
- Reviewing and discussing potential opportunities for improvement during staff as well as management team meetings to ensure maximum input, synergy and buy-in;
- Assessing opportunities in terms of identifiable benefits, costs and urgency in view of available resources to provide a basis for prioritization;
- Welcoming participation in the decision-making process; and
- By utilizing empowered teams to the maximum extent possible to seek and address innovative improvement opportunities which support the attainment of strategic objectives in a manner consistent with the agency’s core values.

9. Senior leadership and the agency actively support and strengthen the community through various avenues of service. The agency annually participates in the United Way of the Midlands campaign and the Community Health Charities of South Carolina (formerly known as the Good Health Appeal) campaign. The agency has regularly been recognized by both for its pacesetting levels of overall participation and per-capita giving. In 2003, the Commission was selected by the United Way of the Midlands as the “Spirit of the Midlands Award” winner. Based on the results of the United Way of the Midlands’ 2006-2007 campaign, the agency was named the recipient of the “Best in Class- Fewer than 100 employees” award and of the Gold Award for per capita giving, and in May, 2007 the Commission received the Senior Resources Meals-On-Wheels Certificate of Appreciation for volunteer services. Many members of the staff participate as volunteers in the local Meals On Wheels program. Information is regularly shared with staff members regarding upcoming charitable and civic activities; they are encouraged to participate consistent with their interests and responsibilities. The agency head personally and on a regular basis encourages staff members to take active, positive roles in the community through charitable, civic and service organizations, programs and activities.

The following chart reflects the numerous diverse activities of senior leaders which contribute to improving the local and statewide communities in which the Commission operates:

Jesse Washington, Jr. Commissioner	South Carolina State Credit Union (Member of the Board of Directors and of the Executive Committee, Secretary of the Board of Directors) Sisters of Charity Providence Hospitals (Member of the Board of Directors) United Way of the Midlands (Member of the Board of Directors)
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<p>Washington, cont.</p>	<p>Better Business Bureau of Central South Carolina and Charleston (Member of the Board of Directors)</p> <p>Agency Directors Organization (Vice Chair)</p> <p>Palmetto Pride of South Carolina (Member of the Board of Directors)</p> <p>Former volunteer for the HOSTS Tutorial Program at Joseph Keels Elementary School</p> <p>Graduate of Leadership Columbia, Leadership South Carolina and the South Carolina Executive Institute</p>
<p>Daphne Battle Division Director</p>	<p>H. Volunteer for the Senior Resource, Inc. Meals On Wheels program</p> <p>Volunteer for the Irmo/Chapin Recreation Commission (Saluda Shoals Park)</p> <p>Former volunteer for Richland County Guardian Ad Litem program</p> <p>Contributor to/supporter of the United Way of the Midlands, Community Health Charities of South Carolina, the Salvation Army, the State Troopers Association, the Muscular Dystrophy Association, the South Carolina Junior Golf Association, the Special Olympics, and the Golfing for God Ministry</p>
<p>Delaine Frierson Division Director</p>	<p>A. South Carolina Chapter of the National Association of Human Rights Workers (Secretary)</p> <p>Mid-South Carolina Chapter of the National Hampton Alumni Association (Vice President)</p> <p>Member of the Administrative Board, Francis Burns United Methodist Church</p> <p>Past Lay Delegate to the South Carolina Annual Conference of the United Methodist Church</p> <p>Chairperson, Higher Education and Campus Ministry, Francis Burns United Methodist Church</p> <p>Secretary of the Ethnic Local Church Concerns Committee of the South Carolina Annual Conference of the United Methodist Church</p> <p>Member of the South Carolina State Employees Association</p> <p>Member of the South Carolina State Affordable Housing Study Committee</p>

	<p>Member of the SCHousingSearch.com Advisory Board</p> <p>Former volunteer for the Senior Resource, Inc. Meals On Wheels program</p> <p>Former Chairperson of the Pastor-Parish Relations Committee, Francis Burns United Methodist Church</p> <p>Former member of the Mayor’s Committee on Employment of People with Disabilities; of the Volunteer Services Committee of the United Way of the Midlands; and of the Board of Directors of the Girl Scout Council of the Congaree Area</p> <p>Graduate of Leadership South Carolina</p>
<p>Ralph H. Haile, Esq.</p> <p>Legal Counsel</p>	<p>Arbitrator, Better Business Bureau of Central South Carolina and Charleston</p> <p>Member of the South Carolina Bar Association,</p> <p>Member the National Association of Human Rights Workers,</p> <p>Member Omega Psi Phi Fraternity, Phi Alpha Delta Fraternity, the South Carolina Sheriffs Association,</p> <p>Member the American Legion, and the National Notary Association</p>
<p>Mary Dunlap Snead, APM</p> <p>Division Director</p>	<p>Member the U. S. Commission on Civil Rights for the state of the South Carolina Advisory Board</p> <p>National Association of Human Rights Workers (Past National President, former Chair of the S. C. Chapter, and currently Vice President of the S. C. Chapter)</p> <p>Former National Association of Human Rights Workers Non-Government Organization Delegate to the United Nations Conference</p> <p>American Association for Affirmative Action (former Vice President of the national Board of Directors)</p> <p>Former member of the U. S. Department of Housing and Urban Development Community Empowerment Team</p> <p>Volunteer for the United Way of the Midlands, the Senior Resource, Inc. Meals On Wheels program, the American Red Cross, the American Cancer Society, the Columbia Animal Mission, and Carolina Wildlife Care</p> <p>Guardian Ad Litem program (former Board of Directors)</p>

	<p>Graduate of the South Carolina Executive Institute</p> <p>Graduate of South Carolina’s Associate Public Manager program</p> <p>Member of the South Carolina Executive Institute Alumni Association, the South Carolina State Employees Association, and the National Association of Human Rights Workers</p>
<p>John M. Wilson, CPM</p> <p>Division Director</p>	<p>Currently serving in Afghanistan with the South Carolina Army National Guard</p> <p>Volunteer for the Senior Resource, Inc. Meals On Wheels program</p> <p>South Carolina Army National Guard (NCOIC of the Officer Candidate School Student Records Section)</p> <p>Member of the U.S.C. Alumni Association, the American Correctional Association, and the American Jail Association</p> <p>Graduate of the Certified Public Manager program</p>

Category 2 – Strategic Planning

Strategic Planning			
Program Number and Title	Supported Agency Strategic Planning Goal/Objective	Related FY 09-10 Key Agency Action Plan/Initiative(s)	Key Cross References for Performance Measures*
I. Admin.	2.2	I-8, 2-3	7.2, 7.3, 7.4, 7.5
II. Consult. Services	2.2b, c, d, e, f	2.2	7.1d, e, f, g
III. Compliance Programs	2.2a, d, e, f	2.2	7.1a, b, c

1. The Commission's strategic planning process is conducted by a strategic planning team composed of individuals representing every area of the agency. The team is charged with overall responsibility for development of the strategic plan. The strategic planning team is supplemented by a number of topic-specific teams, each of which is charged with developing the specific details of and implementation approaches for its particular broad strategic area.

The strategic planning team and the topic teams were assisted by the Center for Governance of the University of South Carolina's Institute of Public Affairs in developing the agency's first strategic plan, thereby ensuring that this first strategic planning effort appropriately identified needs, expectations, goals and plans commensurate with the agency's capacity and resources at that time, and incorporated a thorough "S.W.O.T." (strengths, weaknesses, opportunities, threats) analysis. That first strategic plan identified and addressed a number of areas of long-standing agency needs and opportunities for improvement. The agency adapts to the strategic plan as appropriate given recent economic conditions and staffing.

The agency is now approaching the point at which a thorough review and update of the strategic plan is appropriate. That effort will begin with review and update of the strategic planning process itself to ensure maximum benefit to the agency.

2. Action plans addressing key strategic objectives are developed by the topic team(s) focused on the particular objective. The plans are then reviewed by the strategic planning team for conformance with the overall strategic plan. Once such plans are accepted by the strategic planning team, they are submitted to the Commissioner; if approved, they are incorporated into the overall strategic plan. Action plans are tracked by the topic teams which develop them; progress (or the lack thereof, and the reasons therefore) is reported by the respective topic team chairs to the strategic plan coordinator, who reports on the status of the strategic plan to the Commissioner and, as appropriate, to the Commission Members.

3. Strategic objectives, action plans and performance measures are communicated and deployed by the virtual agency-wide participation in their development; by publication (including to all members of the staff) of the strategic plan, the subsidiary action plans and the related performance measures; by the participation of many staff members in tracking and reporting on action plans; by participation of staff members in implementation efforts that could be made prior to the loss of the necessary state appropriations; and by frequent informal conversations regarding the strategic plan and its elements.

4. Strategic plan topic teams and the strategic planning committee measure progress on action plans through the written and verbal reports presented by the implementing organizational units and individuals supplemented by observation and assessment of results.

5. The Commission's strategic objectives parallel and respond specifically to the agency's strategic challenges, thereby providing clear and agreed-upon activities and courses of action which directly contribute to addressing those challenges efficiently and effectively.

6. The agency's strategic planning process is evaluated and improved by a variety of means including:

- Reviewing and evaluating progress and both interim and final results in terms of the goals and objectives set in the strategic plan to identify successes and opportunities for improvement
- Constantly monitoring both the external and the internal environments to identify changes, impacts and opportunities
- Observing and studying the strategic planning processes of other organizations to learn from their initiatives, successes, and failures and to apply the lessons learned.

Category 3 – Customer and Market Focus

1. The Commission identifies external customers based on their receipt of the agency's products and/or services. The key requirements of these customers are determined by the products and/or services they seek from the agency; from their input regarding the products and/or services sought and those received; and from their suggestions regarding other products and/or services which they believe the agency might provide.

2. Listening and learning methods are kept current with changing customer/business needs by observing the methods employed by other agencies and organizations; by being sensitive to indicators that the effectiveness and/or efficiency of present methods may be decreasing; by being receptive to input from customers, suppliers and stakeholders which may help enhance our methods even if indicators have not suggested possible decreasing effectiveness and/or efficiency of present methods; actively seeking the benefit of the observations, experience and expertise of other professionals (trainers, contracted technical service personnel, associates in professional organizations, etc.); participating in related training activities; and reviewing available related literature.

3. The Commission's key customer access mechanisms include face-to-face contact, electronic contact (telephone, fax, e-mail), and written communication. These means collectively enable customers to seek information, conduct business, and make complaints on a literal "24/7" basis.

4. Customer/stakeholder satisfaction is measured through the content of letters and telephone calls received and face-to-face conversations; through informal feedback received by the Commissioner and others during and after public meetings and programs; and through news reports regarding the agency.

5. Positive relationships are built with customers and stakeholders by recognizing that each is a fellow human being with legitimate interests and concerns and by treating each in that manner regardless of the services the agency is able to render; by ensuring that all services are rendered in at least the same genuinely courteous, professional manner that every Commission staff member would expect in a customer/stakeholder role and consistently at no less than in full compliance with the qualitative standards required by the agency; by ensuring that all understand

the parameters within which the Commission must work, the standards with which the agency must comply, the scope- and the limits – of the agency’s jurisdiction, the processes and procedures used, and the “what” and the “why” of what is done; by genuinely listening to and hearing what the customer/stakeholder has to say; by responding in a timely and substantive manner to contacts and concerns; and by ensuring that each customer/stakeholder knows that his/her honest input, whether positive or negative, is welcome and will receive appropriate consideration.

Category 4 – Measurement, Analysis, and Knowledge Management

1. Operations, processes and systems are selected for measurement based on generating the information necessary to ensure compliance with the requirements of state and federal laws, regulations, rules and reporting requirements; the information necessary to track performance in terms of the areas of program activity defined pursuant to the laws the agency enforces, the jurisdiction granted by those laws and the responsibilities assigned to the agency to carry out the legislative intent embodied in those laws; the information necessary to track performance pursuant to the agency’s contractual obligations and to meet the reporting requirements of those contracts; the information necessary to respond to ongoing as well as special reports and requests for information; and the information (if any) indicating progress relative to strategic objectives and action plans which is not produced by the foregoing.

2. Data/information analysis is used to provide effective support for decision-making through the accurate, timely generation of routine, recurring reports regarding program areas, units and the performance of individual staff members; of information indicating variances from expected levels of performance and identifying the source(s) of those variances; of the information required to support projects, special reports and responses to non-routine requests for information; and to provide the information for ad hoc reports and to support other agency activities (for example, contract negotiations). The data/information to be included in a particular instance is determined by the need to be addressed and the level of analysis to be conducted. The results of data/information analysis are disseminated within the agency depending on their level and intended purpose.

3. Key measures utilized by the agency include monthly and annual total final actions attained (by individual Investigator and by overall total); final action totals divided by type; on a monthly and an annual basis, average processing time by individual Investigator and overall; customer service input received from Complainants and Respondents; training requests received, the number of attendees, and the training evaluations received from attendees; reports from the agency’s Fiscal Officer regarding adherence to the agency’s budget and expenditure goals, etc.; and the occurrence of any unusual or unanticipated events which reflect or otherwise impact on performance.

Key measures are reviewed by top management and the affected members of the leadership team as they become available, and in agency management meetings for discussion to gain the maximum insight into what they mean. Based on those assessments, appropriate responses are determined and implemented with the input of other relevant staff members.

Key measures are kept current with organizational needs and direction by ongoing review of what they measure, what information they provide, the utility of the information provided, and whether experience suggests that other potential measures may better serve the agency's needs. If modifications are found necessary, or if other measures are identified, the appropriate modifications and/or measures are developed and tested, with subsequent action (adoption, modification, rejection) then implemented.

4. Comparative data and information are selected and used to provide legitimate, meaningful bases for intra-agency (for example, comparing the agency's current performance trends with those during a comparable previous period) and inter-organizational (comparing the agency's performance with that of other agencies or organizations with comparable jurisdiction/responsibility, areas of activity, staffing/resource levels, etc.) assessment, for planning purposes, to support resource allocation/modification decisions, for reporting and control purposes, and to support other activities such as contract negotiations. The selection decisions are made based on the need to be addressed, the level of analysis required, the criticality of the comparative data and information to the decision to be made or the purpose to be served, the accessibility of the information, and the cost of the information compared to the benefit it will provide.

5. Data integrity, timeliness, accuracy, security and availability for decision-making are ensured by assuring that clear, shared definitions of data types and their elements are maintained and adhered to; by defining the acceptable source(s) for data of each type; by assigning authority and responsibility for data entry, maintenance and modification; by verifying data through comparison with source documents, inventories, reconciliation of variance reports and other means as appropriate; and by maintaining data in secure yet appropriately accessible, mutually supporting systems (computer, hard copy) available for use as needed.

6. Organizational performance review findings are translated into priorities for continuous improvement through a multi-step process which includes:

- review and analysis of the findings by the agency's management team with the input, if necessary, of other staff members, to fully understand the meaning and implications of the findings and to identify root causes to ensure that real issues are addressed rather than mere symptoms;
- Identification of options for addressing each root cause;
- Assessment of the viability and feasibility of each option, including the potential to fully resolve the respective root cause, resources required (including financial) for implementation, means of implementation, time required for implementation, and mechanisms for evaluation of results;
- Selection of an option for addressing and resolving each root cause;
- Assessment of the potential combined effect(s) of the selected options to seek to determine their likely cumulative impact and whether the combination can be anticipated to give rise to

new issues- if so, and if the new issues are negative, reconsider the selections and take action as appropriate;

- Prioritize implementation in terms of the agency's strategic goals and objectives and resource availability; and

- Evaluate results and take action as necessary to optimize results.

7. The Commission utilizes various means to collect, transfer and maintain its knowledge assets (organizational and employee knowledge) and for the identification and sharing of best practices. These means include information-sharing in meetings at all organizational levels; creation and maintenance of up-to-date policies, procedures and documents (manuals, assessments of activities and lessons learned, etc.) and backup of organizational knowledge systems to ensure against catastrophic loss.

Category 5 – Workforce Focus

1. Employees are encouraged and enabled to develop and utilize their full potential in a manner aligned with the Commission's objectives, strategies and action plans by a variety of means which include:

- Accurate evaluation of performance based on clear and consistently applied performance standards which reflect and contribute to the fulfillment of objectives, strategies and action plans;

- Recognition of and appreciation for each individual's contribution to the agency's success;

- Seeking to ensure that each individual receives recognition, benefits and rewards commensurate with the level of performance attained and contribution to fulfilling the agency's objectives, strategies and action plans in a manner which is consistent with and reflects the agency's core values;

- Maximizing the use of empowered teams to optimize results while ensuring that the learning opportunity and the benefits thereof provided by each such activity are widely shared and incorporated into the agency's knowledge assets, and recognizing and rewarding successful team work;

- Actively seeking and responding to staff input in a manner which encourages creativity and innovation;

- Providing opportunities for participation, learning and broadening of staff members' bases of experience;

- Encouraging responsibly exercised initiative, and viewing it as an opportunity for individual, team and organizational learning even when the results are less than optimal;

- Working to support and provide opportunities for professional growth and development;

- Maintaining the agency's well-earned reputation for commitment to and looking out for the legitimate interests and concerns of employees; and

- Treating each employee as a fellow professional and stakeholder in the success of the agency.

2. The Commission's human resource-related processes are evaluated and improved by monitoring operation of the processes for indicators of opportunities for improvement; studying comparable processes in other organizations to identify best (or at least better) practices and to benefit from the "lessons learned" of others; receiving and assessing input from affected staff members regarding their experiences with the processes; and by participation in information and training activities and programs of the Budget & Control Board's Office of Human Resources.

3. Key development and training needs are identified through day-to-day supervisory observation, interaction and work product review; through formal performance assessment; through input received from employees regarding their interests and career goals; and through assessment of the agency's goals, current and anticipated needs, and the potential impact of external factors (new legislative mandates, demographic changes, budget reductions, etc.) on the agency's operations and resources.

Key development and training needs are addressed through on-the-job training in position-specific skills; providing opportunities for employees who are proficient in their current positions to assume additional, higher-level or more demanding responsibilities or to gain experience in the activities of other positions and/or units; through formal training provided in-house or by outside trainers (The agency, for example, provided mediation certification training to selected staff members conducted by a nationally-recognized professional practitioner.); through agency-supported attendance at professional conferences and programs; and through agency-supported participation in formal professional development programs presented by various educational institutions and other organizations. (An example of the last item is the Certified Public Manager program presented by the Human Resources Development Services Unit of the Budget & Control Board's Office of Human Resources, successful completion of which leads to receipt of the nationally-recognized Certified Public Manager ["CPM"] professional credential. Currently, five agency staff members have earned the CPM credential. Due to budget reductions, the agency has not been able to fund the cost for additional staff members to participate in the CPM program or, for that matter, in other professional development opportunities at a significant level for several years. We are utilizing the experience and knowledge of our senior staff to train new staff and have developed a seminar for EEO Professionals that is 18 hours of classroom training in-house.

The effectiveness of education and training is evaluated by (a) assessing on a "before-and-after" basis observable positive changes in performance (productivity, the ability to share knowledge with others, etc.), professionalism, and capacity for service in broader or more demanding situations, at higher levels, etc. and (b) on a longer term basis, the degree of benefit retention.

Employees are encouraged to use new knowledge and skills on the job by clearly establishing positive expectations prior to the developmental/training experience for application, the

assignment of activities and responsibilities which will provide opportunities for their application, by recognizing the new knowledge and skills and commending their successful application, and by encouraging the staff members to provide input for agency improvement based on their new knowledge and skills.

The Commission's strategic plan includes a comprehensive approach to addressing the agency's short and long-term development needs. However, the state's financial constraint and therefore those of the agency ended these efforts at least for the foreseeable future to the extent that there is anything more than a *de minimus* cost involved to the agency unless the employee is willing and able to pay most if not all of the cost to participate. The agency's inability to make needed investments, especially in professional development activities and specifically in management/leadership development, can reasonably be expected to have short-term (for example, loss of high performers who can no longer expect either financial compensation growth commensurate with their performance and role/responsibilities or opportunities for professional growth which might offset financial considerations at least to some degree) and long-term (for example, reduced ability to compete for and successfully recruit the future high achievers who will be critically necessary to any realistic effort to do even "more with less" and to replace those who have departed and those who will do so) adverse impacts on the agency which will become increasingly severe.

4. Employee training contributes to the achievement of the agency's action plans by developing and enhancing both skills and potential. Training provided either in-house or through external sources, is selected based on criteria which include consideration of the elements of the strategic plan. The result is to broaden the agency's internal resource base and further increase its capacity to attain its strategic goals and objectives.

5. The agency's employee performance management system supports high performance by unambiguously defining standards for levels of performance which are derived from and contribute directly to fulfilling the Commission's goals, objectives and action plans; by accurately measuring actual performance and consistently evaluating actual performance in terms of the applicable standards; by providing performance feedback to employees on annual, monthly and even daily bases; by providing immediately available support to assist in overcoming obstacles to performance improvement; by ensuring that employees are made aware of and reminded of their actual potential for high performance and that such performance is recognized by others; and by recognizing and acknowledging individual and group performance achievement, thereby reinforcing the performance efforts which led to the accomplishment.

6. The Commission motivates employees to develop and utilize their full potential by various mutually reinforcing means which include:

- Seeking to provide development opportunities paralleled by opportunities to apply new and/or enhanced knowledge and skills;

- Encouraging employees to recognize their ultimate personal responsibility for their development as professionals and celebrating the efforts of those who take the initiative to do so;

- Supporting by all feasible means personal initiatives in professional development and providing opportunities to apply new and/or enhanced knowledge and skills;
- Accurately evaluating performance based on clear, consistently applied performance standards;
- Seeking to ensure that each individual receives recognition, benefits and rewards commensurate with the level of performance attained and contribution to fulfilling the agency's objectives, strategies and action plans in a manner which is consistent with and reflects the agency's core values; and
- Encouraging responsibly exercised initiative, and acknowledging it as a positive effort to contribute to the Commission's success even when the results are less than optimal while ensuring that resulting "lessons learned" are in fact learned, retained and shared.

7. Employee well-being, satisfaction and motivation are assessed and measured through direct contact (conversations, verbal input received from employees, etc.), written input received from employees, and day-to-day observation of performance, attendance, demeanor and related indicators. A professionally developed survey of agency employees was to be conducted by the Human Resources Development Services Unit of the Budget & Control Board's Office of Human Resources pursuant to the Commission's strategic plan; however, due to the expense involved and the Commission's financial constraints, the survey effort was placed and remains on hold.

8. The Commission maintains a safe, secure and healthy work environment by monitoring conditions of our one facility, identifying areas of need, bringing these matters to the attention of our landlord, and conducting appropriate follow-up; by controlling access to our offices (electronically controlled locks on entrance doors which can only be activated by the receptionist or by a staff member using his/her individual key card) and by requiring that all visitors sign in, wear a visitor identification tag, and be escorted while in the office by the individual he/she came to see; and by participating in the state's Carolina Healthstyle program.

Category 6 – Process Management

1. The Commission's key processes that produce, create or add value for our customers and the agency are those for discrimination complaint intake, investigation and resolution services; for affirmative action consulting services (including preparation of the annual report on the affirmative action status of state agencies as required by the Legislature); for the provision of training services; and for community relations consulting services. The agency ensures these processes are used properly internally by maintaining comprehensive, up-to-date operational policies and procedures; appropriate staff training; monitoring operations to ensure compliance. The agency ensures these processes are used externally by public affairs contacts to ensure members of the public are aware of the processes; by sharing information with parties (Complainants and Respondents) and others who contact the agency to ensure they are aware of the processes and their operation; and by monitoring the utilization of the processes to identify opportunities for improvement.

2. Organizational knowledge is incorporated into the agency's process design and delivery systems through the participation, both formal and informal, of and the ongoing solicitation of input from all affected personnel.

New technology is incorporated into the agency's process design and delivery systems through identification of opportunities to qualitatively and quantitatively enhance operational activities through the application of new technology; evaluation of what impacts, if any, the new technology will have on other systems currently in use within the agency and what actions may be required to address such impacts; assessment of what new skills/knowledge will be required to implement the new technology and how, where and at what cost the new skills/knowledge can be obtained; development of the necessary training/learning opportunities; monitoring the incorporation process, the new technology and the overall affected system(s) to identify and address unanticipated problems; and maintenance of predecessor ("legacy") systems, if any, during a testing/transition phase.

Changing customer and mission-related requirements are incorporated into the agency's process design and delivery systems through assessment of the present and anticipated future impacts of those changes on the agency's systems, capacities and resources; assessment of how the changes may be incorporated in a manner which, at worst, does not reduce current levels of effectiveness and efficiency, and preferably enhances those levels; evaluation of what modifications in agency policies, procedures and activities will be necessitated due to incorporation; development of a plan and a schedule for an orderly incorporation process; and monitoring of the incorporation process and its results to identify needed adjustments.

Cost controls and other efficiency and effectiveness factors are incorporated through identification of applicable costs and assessment of those costs in light of agency priorities; detailed budgeting and regular review of budget and variance reports; ongoing monitoring of actual vis-à-vis expected results, with corrective action taken in a timely manner; comparison of activities and performance with those of comparable agencies; and an agency-wide emphasis on identifying opportunities for continuous improvement in every activity and area.

3. The Commission's key processes include built-in "checks and balances" (approval, monitoring, review, and reporting processes) which ensure that day-to-day operation meets key performance requirements, and that problems which may detract from meeting those requirements are identified and can be addressed before becoming serious enough to endanger compliance.

4. Key product and service related processes are systematically evaluated and improved by monitoring and assessing results and input from external as well as internal sources against both qualitative and quantitative standards; identifying variances, the sources of positive variances and means to maintain the gain, and the core cause(s) producing any negative variances and the means to effectively and efficiently resolve them; taking timely action to sustain positive variances and to remedy negative variances; reviewing and assessing the best practices and "lessons learned" of other agencies and organizations with comparable processes to identify improvements which can be incorporated into the Commission's processes; and continuously soliciting the input and suggestions of staff members based on their actual "hands-on" day-to-

day experience with the processes and seeking to apply that input and those suggestions to the identification and implementation of opportunities for improvement.

5. The Commission's key support processes are administration, fiscal, information resources, legal counsel, personnel, and procurement. The performance of these processes is reviewed on ongoing formal and informal bases by the Commissioner as well as the staff members who fulfill the respective roles. The processes are improved and updated based on the resultant opportunities for improvement identified, as well as based on both input received from and requirements established by other relevant agencies (Comptroller, IRM, OHR, etc.).

6. The Commission determines the resources needed to meet current and projected budget and financial obligations by:

- Determining the activities required to attain goals and objectives for the period at the qualitative and quantitative levels of performance to be sought during the period
- Determining the non-financial resources (staff, training, equipment, supplies, travel, etc.) which will be necessary to carry out those activities at the desired performance levels
- Determining the projected costs (financial resources) of each non-financial resource required to carry out activities at the desired levels of performance and in total.

Category 7 – Results

7.1 Performance levels and trends for the key measures of mission accomplishment and organizational effectiveness:

a) The Commission's complaint processing begins with the intake process. The Intake Division is the first point of contact with the agency for individuals seeking to file complaints of unlawful discrimination or otherwise seeking information regarding the potential to do so. The intake process includes initial contact (in person, by telephone, mail or by e-mail); obtaining relevant information from the potential Complainant; review and assessment of that information; referral of individuals to other appropriate agencies or resources if the information provided does not indicate a matter subject to the Commission's jurisdiction and such alternatives are available to address the issues presented; preparation of a formal complaint of discrimination in those instances in which a cause of action subject to the agency's jurisdiction is indicated; entering the new complaint into the agency's caseload; and transfer of the newly filed complaint for processing.

During state fiscal year 2009-2010, approximately 25,000 to 30,000 contacts were received by the Intake Division, Intake questionnaires were sent out by the Division in response. Approximately 3,000 questionnaires were completed and returned to the Division, of which a total of 1,046 resulted in formal complaints of discrimination, and 1500 inquiries were referred to other agencies or other resources.

During state fiscal year 2009-2010, a total of 1,046 new complaints of employment discrimination (including complaints initially filed with the EEOC and transferred to the Commission for processing). A total of 1,116 final actions (including 126 final actions attained

as the result of successful mediations) were attained during the fiscal year. The agency's average processing time for complaints of employment discrimination increased to 207 days during the fiscal year from 192 days during the preceding year, reflecting the impact of budget reductions and the corresponding adverse impacts on the agency's resources and capacity. The 1,116 final actions attained during 2009-2010 generated a total of \$613,800 in EEOC contract funds which were critical to the continued viability of the agency.

The agency is staffed to produce 864 final actions per year at current qualitative standards; the performance attained beyond that level is attributable solely to the extraordinary dedication and hard work of the investigative staff, and is a level of output which will decline significantly (with a corresponding decline in EEOC contract funds generated) if the agency loses even one highly productive Investigator or if members of the investigative staff reach the point that they can no longer justify putting personal and other responsibilities aside to meet the agency's goals (for production of final actions and contract funds) without the realistic prospect of meaningful career growth.

Since the creation of the Commission in 1972, the agency has resolved problems in human affairs and attained final actions in over 30,000 complaints of employment discrimination. It should be noted that during the entire period of the agency's existence, no final action attained by the South Carolina Human Affairs Commission has been overturned by the EEOC, and that only one final action has been overturned by any court, whether state or federal. (That one final action was overturned on appeal by the United States Fourth Circuit Court of Appeals based on evidence which was not available during the Commission's investigation of that complaint.) This point is particularly significant, since it reflects the quality, thoroughness and professionalism embodied in the agency's complaint processing and the resultant final work product.

Settlements attained in employment discrimination complaints during state fiscal year 2009-2010 had a total monetary value of \$613,800. Since the creation of the agency in 1992, the total value of settlements attained is over \$25,000,000.

b) During state fiscal year 2009-2010, a total of 197 mediations were conducted. A total of 155 of these mediations were successful in attaining resolutions of the subject complaints. This represents a success rate of over 78 percent.

The number of successful mediations has remained relatively constant (in excess of 100) over the past seven fiscal years. Second, the percentage of mediations which resulted in successful resolutions was consistently over 50 percent or greater.

The record of successful mediation resolutions, in both absolute and relative terms is attributable to the increased knowledge of, interest in and comfort with the mediation process on the part of both Complainants and Respondents, as well as the professionalism and skills of the Commission's mediation staff.

c) During state fiscal year 2009-2010, a total of 81 complaints of fair housing discrimination were filed with the Commission. Seventy-seven (77%) of the cases were processed within the 100 day timeframe. Two complaints investigated by the agency required litigation. The final actions generated \$172,827 in HUD contract funds which were critically needed for agency operations.

The number of fair housing complaints filed and the number of final actions attained remained generally stable during the first four reported state fiscal years. Second, over the fifth and sixth reported fiscal year, the number of fair housing complaints filed increased as did the number of final actions.

d) A total of 57 new complaints of discrimination in other than employment or housing were filed with the Commission during state fiscal year 2009-2010. During the year final actions on such complaints were attained by the Community Relations Division. Both the number of such complaints filed and the number of final actions has varied substantially over the nine reported state fiscal years, and that over three of the most recent four state fiscal years both the number of such complaints filed and the number of final actions have steadily declined.

e) A total of 23 local community relations councils chartered by the Commission were operational within the state, and the Commission provides assistance to the councils when requested. Ultimately the Commission would like to see councils established in every county and major city in the state.

f) Eighty-six (86) state agencies (94.5% of reporting agencies) attained at least 70% of their affirmative action goals during state fiscal year 2009-2010. The number of state agencies attaining this standard has been generally stable over the most recent five fiscal years following a three-year period of comparable stability at a numerically lower level.

g) The number of such agencies holding exemptions due to having attained their affirmative goals remained unchanged at 13 during the five state fiscal years of 1999-2000, 2000-2001, 2001-2002, 2002-2003 and 2003-2004. During state fiscal year 2004-2005, all agencies – including those which had previously been exempted – were required to prepare and file new affirmative action plans using the 2000 Census data; it is for this reason that only two state agencies have been currently granted an exemption based on the new Census data compared with their current workforces.

During state fiscal year 2009-2010, the agency's Division of Staff Development, Training and Technical Services conducted 30 workshops, seminars and forums during which training was provided to a total of 1,343 participants representing state government, local government and the private sector. For purposes of comparison, total training opportunities presented and total participants by state fiscal year were: 2001-2002 (71 and 3,821), 2002-2003 (69 and 2,938), 2003-2004 (50 and 1,582), 2004-2005 (42 and 1,663), and 2005-2006 (36 and 2,125). It must be noted that during the four most recent state fiscal years, the Division's staff members had the

additional part-time duty of providing mediation services (to supplement the work of the agency's one full-time Mediator), and they have done so quite successfully. Accordingly, the training figures presented represent the continuation of a remarkable level of performance for a group (originally five persons, which has now temporarily declined to three) who are also charged with responsibility for carrying out the agency's affirmative action consulting and reporting activities, including preparation of the annual report on the affirmative action status of state agencies required by the Legislature.

7.2 Performance levels and trends for key measures of customer satisfaction:

a) Input from Complainants is disproportionately received from those individuals whose complaints result in findings, based on the evidence gathered during the investigation of their complaints of discrimination, which are not in their favor. These individuals consistently state their dissatisfaction with the decision, and often comment that the process was not "fair" (although they were informed when filing that the role of the Commission is to conduct impartial, objective investigations and to issue decisions based solely on the evidence).

b) Input from Respondents appears to be received on a more representative basis. Respondents frequently note that the Commission's processing is more timely than that of other similar agencies with which they have experience and, regardless of the nature of the decision issued, often cite in positive terms the agency's objectivity, professionalism and courtesy.

c) Training participants provide input using a questionnaire which, in addition to seeking narrative comments regarding the training received, provides ranking scales (1 = below average, 3 = average, 5 = exceptional) for five key measures. The pattern of responses based on these numerical rankings has consistently been an average of "4" on both the individual elements and overall.

7.3 Based on audit reports and monitoring of budget data (actual to planned), the Commission continues to control expenditures within budget levels while seeking to maintain service levels across the diverse set of responsibilities assigned to the agency by the various laws it administers.

7.4 Since the agency's financial constraints have prevented the Commission from proceeding with the planned employee survey, formal measures of employee satisfaction are not available at this time. However, it should be noted that the agency has thus far maintained its established level of performance despite the adverse consequences of the recent history of repeated budget reductions, which strongly suggests that employee dedication and commitment have not wavered, although it would be unrealistic to claim that morale has not eroded under the ongoing negative reinforcement attributable to financial difficulties, the actions taken to address them, and the lack of opportunities for career growth. Indeed, what the agency accomplished in a positive vein as reflected in this report is attributable solely to the dedicated efforts of its employees on behalf of the people of South Carolina. Employee involvement in terms of charitable and civic participation has not evidenced any decline. The agency's financial constraints have, as previously noted, eliminated agency-supported employee development efforts other than those which can be provided at virtually no cost or those for which employees

are willing and able to pay for themselves. If it continues, this inability to make appropriate investments in staff development will adversely affect both the agency's future and the legitimate expectations of its cadre of professional public servants, particularly the most marketable, those with sustained levels of particularly high performance and achievement.

7.5 Based on available information (audit reports, performance reviews, contract reviews, etc.), the agency's performance levels for measures of regulatory/legal compliance are high, trends are stable, and there are no indicators of actual or potential non-compliance. All input from the greater state community indicates that the agency continues to enjoy a broad, firm base of community support except among a portion of those individuals whose complaints did not result in decisions in their favor (a frequently very vocal group), individuals who would like to see the Commission move from its legitimate role as a neutral fact-finder to that of advocate, and those who oppose the principles for which the agency stands.