

**Agency Activity Inventory**  
**by Agency**  
**Appropriation Period: FY 2010-11**

**Agency:** L36 - Human Affairs Commission

**Functional Group:** Transportation &  
Regulatory

**1140 Board of Commissioners**

The Board of Commissioners, consisting of 15 members, sets policy for the Agency's operations and activities; supervises receipt, investigation and resolution of public sector cases of employment discrimination; conducts public hearings, as required; and meets frequently, or at the call of the Chair, to conduct business of the Commission. (Sections 1-13-40 and 1-13-60 of the SC Code of Laws of 1976, as amended).

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Provide opportunities for employment and independence.

**FY 2010-11**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$3,500	\$3,500	\$0	\$0	\$0	\$0	0.00

**Other Fund - Subfund No. & Title:**

NA

**Budgetary Program No.:** I.

**Expected Results:**

Provide effective oversight of the Commission.

**Outcome Measures:**

Appropriate administration of the Agency's programs and activities for the citizens of South Carolina.

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Regulatory

**1141 Administration**

The Administrative Unit is responsible for the overall operation and provision of support services for the Agency, as well as serving as a point of contact for, and as facilitator in the statewide community with respect to the Agency's mission. The Agency administers the South Carolina Human Affairs Law, as amended; the South Carolina Fair Housing Law as enacted in 1989; and the Equal Enjoyment and Privileges to Public Accommodations Act. The Commissioner, the Chief Executive Officer of the Agency, is employed by the Agency's Governing Board (15 Members) with the approval of the Governor. The Commissioner directs and coordinates all agency operations and ensures they effectuate the policies, rules and regulations established by the Commission and the mandates of the South Carolina Human Affairs Law. These include various regulations and reporting requirements of the Governor's Office, General Assembly, Budget and Control Board and other State Government agencies and certain federal regulations regarding recordkeeping and reporting. The Commissioner is responsible for hiring an administrative staff to assist in carrying out the support services necessary for the smooth operation of the

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Agency. The administrative staff consists of finance and budgeting, legal services, human resource management, information technology, procurement and public information. (Section 1-13-10 et. seq. of the SC Code of Laws as amended).

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Administration

**FY 2010-11**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$397,058	\$393,558	\$0	\$0	\$0	\$3,500	8.00

**Other Fund - Subfund No. & Title:**

3037 Special Deposits

**Budgetary Program No.:** I.

**Expected Results:**

That the Agency's legal mandates are carried out; all recordkeeping and reporting is accomplished by the administrative personnel; that the administrative personnel respond to the needs of the Commissioner, Governing Board, and staff of each programmatic area.

**Outcome Measures:**

The Agency operates smoothly; applies appropriate management and administration of the Agency's legal mandates, programs, and activities for the citizens of South Carolina.

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**1142 Legal**

The Legal Unit provides advice and counsel necessary to ensure the proper enforcement of all laws assigned to the Agency. It also provides the necessary legal consultation and services to the Agency by reviewing complaints and investigated files; provides legal assistance to both Agency personnel in the conduct of their duties and to private citizens; drafts pleadings, legislation, agreements and other related documents as appropriate; prosecutes complaints before the Commission, as provided by law; litigates cases in court, as provided by law, and conducts legal research. (Sections 1-13-50 & 1-13-70 of the SC Code of Laws of 1976, as amended).

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Administration

**FY 2010-11**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$120,078	\$120,078	\$0	\$0	\$0	\$0	2.00

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**Other Fund - Subfund No. & Title:**

NA

**Budgetary Program No.:** I.**Expected Results:**

1. Improve the ability of the Agency to achieve the enforcement of its assigned laws efficiently and effectively. 2. Provide legal advice and counsel to Agency staff, government agencies as well as to businesses and individuals.

**Outcome Measures:**

1. Process subpoenas for enforcement to ensure timeliness of investigations. 2. Respond to the requisite number of Freedom of Information Act (FOIA) requests. 3. Participation in numerous outreach and training seminars. 4. Review all SHAC investigations for legal sufficiency. During FY 2009-2010: 1. The Legal Department responded to 13 requests for subpoenas; 99 requests under the Freedom of Information of Act (FOIA); participated in three (3) outreach and training seminars; and reviewed a total of 1,254 SHAC investigations.

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**Functional Group:** Transportation & Regulatory

**1143 Technical Services & Training**

The Commission was created to prevent and eliminate problems in human affairs. The Technical Services and Training Division's primary purpose and functions are to prevent discrimination. The Division provides the technical support and necessary consultation and training to state agencies that are required by state law (Sections 1-13-110 & R65-20 of the South Carolina Code of Laws of 1976, as amended) to develop and file with this Agency, affirmative action plans that are compliant with state and federal regulations. The Division monitors agencies' affirmative action compliance and progress, and in accordance with Section 1-13-110 of the South Carolina Human Affairs Law and Proviso 72.16 of the FY 2004-2005 Appropriations Act, the Division prepares and submits a report on the status of State Agencies' Affirmative Action Plans and Programs by February 1st of each year to the General Assembly. The Division also develops and teaches educational seminars designed to familiarize employers with state and federal EEO laws and recommends practical methods to prevent discrimination. These seminars are offered to any employer, public or private, including the SC General Assembly, upon request. (Section 1-13-70 of the SC Code of Laws of 1976, as amended).

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Administration

**FY 2010-11**

<b>Total</b>	<b>General Funds</b>	<b>Federal Funds</b>	<b>Non-Recurring Provisos</b>	<b>Part III (ARRA Funds)</b>	<b>Other Funds</b>	<b>FTEs</b>
\$136,925	\$98,925	\$0	\$0	\$0	\$38,000	5.00

**Other Fund - Subfund No. & Title:**

3834

Human Affairs Forum \$38,000

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**Budgetary Program No.:** II.

**Expected Results:**

1. Assist 86 State agencies in developing affirmative action plans and maintaining discrimination free policies and procedures in their workplaces. 2. Train managers and supervisors.

**Outcome Measures:**

1. Review affirmative action plans of all state agencies with 15 or more employees based on new analysis. 2. Provide training to approximately 1,500 individuals representing public and private sector employers. During FY 2009-2010: 1. Ninety-four and 1/2 percent (94.5%) of state agencies achieved a level of at least 70% of their EEO goals. 2. Training was provided to 1,343 employees.

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**Functional Group:** Transportation & Regulatory

**1144 Community Relations**

The Community Relations Division was created to encourage local resolution of local problems and to foster better community relations throughout the State. The Division uses conference, conciliation and persuasion to bring together cross sections of people to resolve disputes involving alleged discrimination in police-community relations, education, public accommodations, business practices and other non-employment issues. (Section 1-13-70 of the SC Code of Laws of 1976, as amended).

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Provide opportunities for employment and independence.

**FY 2010-11**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$28,487	\$0	\$0	\$0	\$0	\$28,487	1.00

**Other Fund - Subfund No. & Title:**

3035 Operating Revenue

**Budgetary Program No.:** II.

**Expected Results:**

1. Creation of local Community Relations Councils across the State. 2. Train members on identification of problems, setting priorities in program planning and development, and planning for funding processes for community projects.

**Outcome Measures:**

1. The creation of two (2) additional Community Relations Councils. 2. A significant and increasing percentage of local community relations problems resolved by Councils. 3. Resolution of seventy-four (74) non-employment complaints of discrimination. During FY 2009-2010: 1. No new Community Relations Councils were created. 2. Continued to work with community relations councils to resolve local problems. 3. Resolved fifty-seven (57)

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non-employment complaints of discrimination.

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**Functional Group:** Transportation &  
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### 1145 Intake & Referral

Intake and Referral services are provided for persons who believe they have been discriminated against in the areas of employment or other practices on the basis of race, religion, color, sex, age (40 or above), national origin, disability, or public accommodations on the basis of race, color, religion, or national origin. This process involves the initial receipt of inquiries and complaints, screening, interviewing, gathering records and documents, and drafting formal charges of discrimination. This initial stage leads to either mediation, investigation, waiver to the federal government or dismissal and/or referral to a more appropriate source. The normal turnaround processing time is generally within 90 days or less. (Section 1-13-10 et. seq. of the SC Code of Laws of 1976, as amended).

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Provide opportunities for employment and independence.

#### FY 2010-11

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$93,761	\$0	\$0	\$0	\$0	\$93,761	6.00

**Other Fund - Subfund No. & Title:**

3035 Operating Revenue

**Budgetary Program No.:** III.

**Expected Results:**

1. Provide timely service to potential complainants contacting the Agency by mail, telephone, or personal visit.
2. Complete, in a timely manner, the writing of charges to stay within the 90-day turnaround timeframe or less.
3. Provide proper processing and referral of all complaints in a timely manner.

**Outcome Measures:**

1. Frame all jurisdictional complaints for filing under the Human Affairs Law.
2. Refer non-jurisdictional complaints to appropriate agencies or sources. During FY 2009-2010:
  1. Of the approximately 25,000 to 30,000 requests received, 22,000 to 27,000 questionnaires were mailed to potential complainants.
  2. Complainants completed and returned for processing approximately 3,000 questionnaires which resulted in 1,046 formal charges of discrimination filed and approximately 1,500 were referred to other sources for various non-jurisdictional reasons.

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**Functional Group:** Transportation & Regulatory

**1146 Employment Discrimination Receipt, Processing & Resolution**

This activity provides for the intake, mediation, investigation, and resolution of complaints of unlawful employment discrimination based on race, color, sex, age (40 or above), religion, national origin and mental or physical disability filed against private and public sector employers located in South Carolina (Section 1-13-10 et. seq. of the South Carolina Code of Laws of 1976, as amended). Implementation of this activity enables the State to attain and maintain deferral status over complaints arising in South Carolina which are filed with the U. S. Equal Employment Opportunity Commission (USEEOC) under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act.

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Provide opportunities for employment and independence.

**FY 2010-11**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$506,614	\$0	\$0	\$0	\$0	\$506,614	16.00

**Other Fund - Subfund No. & Title:**

3035 Operating Revenue

**Budgetary Program No.:** III.

**Expected Results:**

1. Maximize the number of complaints investigated and resolved consistent with the agency's staffing level while assuring adherence to applicable state and federal qualitative standards. 2. Maintain a 100% acceptance rate of Agency final actions by the USEEOC. 3. Minimize the need for many cases of alleged employment discrimination to proceed to litigation. 4. Encourage voluntary compliance with state and federal laws regarding equal employment opportunity. 5. Reduce both the need and opportunity for federal enforcement in the State.

**Outcome Measures:**

1. Receipt of 2,400 employment discrimination charges. 2. Investigate to final action all jurisdictional complaints of discrimination received. 3. Maintain 100% acceptance rate of complaint dispositions by the US EEOC. During FY 2000-2010: 1. The Agency received 1,046 formal employment discrimination complaints. 2. Investigated to final action a total of 1,116 jurisdictional charges of discrimination. 3. Maintained 100% rate of acceptance of complaint disposition by the US EEOC. No cases were overturned by the US EEOC or any Court.

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**1147 Mediation**

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Mediation is an alternative means of redress for South Carolinians who believe that they have been subjected to unlawful discrimination on the basis of race, religion, color, sex, age (40 or above), national origin or disability. The primary benefit of this service is to provide a greater potential to preserve some semblance of healthy employee/employer relationship in the future as opposed to adversarial positions parties assume when complaints are investigated. (Section 1-13-70 of the SC Code of Laws of 1976, as amended).

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Provide opportunities for employment and independence.

**FY 2010-11**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$53,138	\$0	\$0	\$0	\$0	\$53,138	4.00

**Other Fund - Subfund No. & Title:**

3035 Operating Revenue

**Budgetary Program No.:** III.

**Expected Results:**

1. Reduce the average case processing time from assignment to mediation to final resolution. 2. Expand the scope of mediations to include all laws and regulations enforced by the Agency. 3. Secure a higher level of participation by state agencies in the mediation process.

**Outcome Measures:**

1. Maintain average case processing time. 2. Expand mediation to include Public Accommodations, Fair Housing and Section 90(e) of the Human Affairs Law. 3. Two (2) additional state agencies to participate in the mediation process for the first time. During FY 2009-2010: 1. Over seventy-eight percent (78%) of mediations resulted in Agreements, of which several were in regard to 90(e) and public accommodations.

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**Functional Group:** Transportation &  
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**1148 Fair Housing Investigations**

The SC Fair Housing Law, (Section 31-21-10 et. seq. of the SC Code of Laws of 1976, as amended), makes housing discrimination unlawful because of a person's race, color, religion, sex, national origin, physical or mental handicap or familial status. The Commission enforces this law through investigative action.

**Statewide Result Area:** Improve the health and protections of our children and adults

**Strategy:** Provide opportunities for employment and independence.

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Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$202,552	\$25,024	\$177,528	\$0	\$0	\$0	5.00

**Other Fund - Subfund No. & Title:**

NA

**Budgetary Program No.:** III.**Expected Results:**

1. Process and investigate complaints in an efficient and effective manner. 2. Conduct case processing within the strict 100-day timeframe. 3. Maximize the number of complaints resolved consistent with the Agency's staffing level while assuring adherence to applicable state and federal qualitative standards. 4. Maintain a high acceptance rate of final actions by the U. S. Dept. of Housing & Urban Development (HUD). 5. Conciliation of cases in accordance with HUD regulations and guidelines and the SC Fair Housing Law. 6. Reduce the need and opportunity for federal enforcement within the State.

**Outcome Measures:**

1. Final resolution through conciliation and investigation of all fair housing complaints. 2. Maintain a 75% case processing within the 100-day timeframe. 3. Minimize the need for costly litigation to complainants by maintaining a high percentage of case resolutions. During FY 2009-2010: 1. Eighty-one (81) Fair Housing complaints were investigated to final resolution. 2. Seventy-seven percent (77%) of cases were processed within the 100-day timeframe. 3. Two (2) complaints investigated by the Agency required litigation.

## AGENCY TOTALS

### *Human Affairs Commission*

TOTAL AGENCY FUNDS	TOTAL GENERAL FUNDS	TOTAL FEDERAL FUNDS	TOTAL OTHER FUNDS
\$1,542,113	\$641,085	\$177,528	\$723,500
	TOTAL NON-RECURRING FUNDS	TOTAL PART III FUNDS	TOTAL FTEs
	\$0	\$0	47.00