

South Carolina Human Affairs Commission

Technical Services and Training Division



Prevention Corner



An ounce of Prevention is Worth a Pound of Cure.

~Benjamin Franklin

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South Carolina
Human Affairs Commission
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The South Carolina Human Affairs Commission strives to alleviate problems of discrimination through the enforcement of the SC Human Affairs Law (including the SC Pregnancy Accommodations Act), the SC Fair Housing Law, the SC Equal Enjoyment and Privileges to Public Accommodations Law and the SC Lactation Support Act.

PREVENTION CORNER

What are the protected classes?

Race

Color

National Origin

Religion

Disability

Sex

(including pregnancy,
childbirth, or related
medical condition)

Age

(40 or older)

WHAT IS A PROTECTED CLASS AND WHY DOES IT MATTER?

According to the National Archive's guide to EEOC terminology, the term "protected class" refers specifically to: "The groups protected from employment discrimination by law." Different employment laws provide protection for different groups of people.

For example:

- Title VII of the Civil Rights Act prohibits employment discrimination based on sex, race, color, religion, and national origin.
- The Age Discrimination in Employment Act prohibits employment discrimination against people who are 40 and older.
- The Americans with Disabilities Act, as amended, prohibits discrimination based on a physical or mental impairment that substantially limits one or more major life activities; record of such an impairment; or regarded as having such an impairment.

Because of the different laws, many employees may be a member of at least one of the groups protected. For example, both men and women are both members of a protected class and can take legal action if they are unlawfully discriminated against on the basis of their sex.

Applicants, employees, and former employees are protected from retaliation (adverse action) for filing a complaint of discrimination, requesting an accommodation, or participating in an investigation.

WHY DOES IT MATTER IF YOU ARE A MEMBER OF A PROTECTED CLASS?

Being a member of a protected class makes discrimination unlawful. For example, denying a qualified employee over the age of 40 a promotion due to their age violates the Age Discrimination in Employment Act.

**If you are dealing with a discrimination issue, contact us for help.
803-737-7800 or <https://www.schac.sc.gov/>**

The Technical Services & Training Division's staff at the SC Human Affairs Commission offer training to managers, supervisors, and employees on topics that discourage discrimination.

Practical advice combined with legal theory helps to prevent discrimination through education.

How can I schedule training? Contact us at:

(803) 737-7800 or (800) 521-0725, Relay 711

email: training@schac.sc.gov



Charlotte Mecklenburg Library, 2018

African American History Month

In 1926, Dr. Carter G. Woodson instituted the first week-long celebration to raise awareness of African Americans' contributions to history. 50 years later, the week became a month, and today February is celebrated as African American History Month. The month of February was chosen because it celebrates the birthdays of Abraham Lincoln and Frederick Douglass, both of whom dramatically affected the lives of African Americans.

Frederick Douglass (1817-1895) was a writer, lecturer, editor, and civil rights activist who escaped slavery at age 21 and went on to campaign for the abolition of slavery, establish a newspaper, and hold the office of Minister to Haiti. He was a major voice in the anti-slavery/civil rights movement of his time.

Abraham Lincoln (born February 12, 1809), as the sixteenth president of the United States, issued the Emancipation Proclamation on January 1, 1863, thereby declaring that all slaves within the Confederacy would be permanently free. Each year, the Association for the Study of African American Life and History (ASAALH) founded by Dr. Woodson sets the theme for the month.

Source: The U.S. National Archives and Records Administration



Are Pregnant Employees A Protected Class?

Most employers know that it is against to the law to discriminate against a female employee because of her sex.

Fewer employers remember that it is also against the law to discriminate against a female employee because she is pregnant.

The SC Pregnancy Accommodations Act was signed by the Governor on May 17, 2018.

The intent of the law is to combat pregnancy discrimination.

The law requires employers with 15 or more employees to provide reasonable accommodations to employees and applicants for medical needs arising from pregnancy, childbirth, or related medical condition.



Attention: SCHAC is hiring! See this posting for an Attorney position. Click this box.

Trivia Question

Which piece of legislation prohibits discrimination based on race, sex, color, national origin, or religion?

Answer

The Civil Rights Act of 1964