

South Carolina Human Affairs Commission

Technical Services and Training Division



Prevention Corner



An ounce of Prevention is Worth a Pound of Cure.

~Benjamin Franklin

JANUARY 2022

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.

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Equal Opportunity is the Law in South Carolina

Who Are We?

The South Carolina Human Affairs Commission is a state agency created in 1972 to encourage fair treatment, eliminate and prevent unlawful discrimination, and foster mutual understanding and respect among **all** people in this state.

It's The Law

Sections 1-13-10 through 1-13-110 of the S.C. Code, empowers the Commission to look into problems of unlawful discrimination on the basis of race, color, religion, age (40 and above), sex (including pregnancy), national origin, or disability.

The law also established a framework for accepting and investigating complaints of unlawful discrimination.

What To Do About Employment Discrimination

- ❖ You have the right to file a complaint if you believe you have been discriminated against because of race, color, religion, sex, national origin, age, or disability.
- ❖ A complaint must be filed within 180 days from the date of the discriminatory act.
- ❖ If a basis exists, your complaint will be assigned for mediation, investigation, or transferred to EEOC.
- ❖ If there was a violation, the Commission can help get certain legal remedies to which you may be entitled.

Resources: S.C. Human Affairs Commission; U.S Equal Opportunity Commission

(800) 521-0725, Relay 711

803-737-7800 or <https://www.schac.sc.gov/>

How can I schedule training?

Contact us at:

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

email: training@schac.sc.gov



**South Carolina Human Affairs Commission
will Celebrate 50 years of preventing and
eliminating unlawful discrimination in 2022.**

History

1972

The South Carolina Human Affairs Commission was created by the General Assembly in 1972.

The South Carolina Human Affairs Law, enacted in 1972, created the South Carolina Human Affairs Commission. The law was implemented to promote harmony and the improvement of human affairs in South Carolina and to allow for maximum development of the State economically, educationally, and socially.

1989

The South Carolina Fair Housing Law was enacted in 1989.



The South Carolina Fair Housing Law was enacted in 1989 and gave the Commission jurisdiction to investigate all fair housing complaints in the State. Under the Fair Housing Law, it is unlawful to refuse to sell or rent a dwelling on the basis of race, color, religion, sex, familial status, national origin, or handicapping condition. It is also unlawful to discriminate in terms and conditions of a rental or sale, or to threaten someone due to any protected basis.

1990

The Equal Enjoyment and Privileges to Public Accommodations Act was enacted by the State General Assembly in 1990.



The Equal Enjoyment and Privileges to Public Accommodations Act was enacted by the State General Assembly in 1990.

This historic legislation provides that all persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodations without discrimination or segregation on the basis of race, color, religion, or national origin.

Examples of the types of public establishments covered by the law include any inn, motel, hotel, or other lodging business; any restaurant, cafeteria, lunchroom, lunch counter or soda fountain; any hospital or clinic; any retail or wholesale establishment; and any motion picture house, theater, concert hall, billiard parlor, saloon, bar room, golf course, sports arena, stadium, or any other recreational area. Resource: S.C. Human Affairs Commission



Answers to your questions about Pregnancy Discrimination and Lactation Support in the workplace.

How do I prove pregnancy discrimination in the workplace?

To prove pregnancy discrimination, you must provide evidence that your employer treated you differently from other employees, because of your pregnancy or failed to make reasonable accommodations for medical needs arising from pregnancy, childbirth, or related medical condition.

If you are pregnant or recovering from childbirth, you may have the right to:

- Be treated in the same manner as other employees with similar abilities or limitations.
- Take time off for medical appointments or to seek medical care without risking your job.
- Not to be discriminated against if you are a pregnant or lactating employee.
- Ask for a reasonable accommodation when you need help with your job or need a place and time to express your breast milk.

Press Release 05-10-2021

Logisticare Solutions, LLC to Pay \$120,000 to Settle EEOC Pregnancy Discrimination Lawsuit

Medical Transportation Company Fired Two Women Because They Were Pregnant, Federal Agency Charged.

PHOENIX – A non-emergency medical transportation company with a call center located in Phoenix, Ariz., will pay \$120,000 and furnish other relief to settle a pregnancy discrimination lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, LogistiCare Solutions, LLC, now doing business as ModivCare, fired two women because they were pregnant. The EEOC's lawsuit charged that the two pregnant women were training to become customer service representatives. After less than one week in the training class, LogistiCare learned they were pregnant and fired them.

Pregnancy discrimination is a form of sex discrimination, which is prohibited by Title VII of the Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act. The EEOC filed suit in U.S. District Court for the District of Arizona (EEOC v. LogistiCare Solutions, LLC et al, Case No. 2:20-cv-00852-GMS) after first attempting to reach a pre-litigation settlement through its conciliation process.

The consent decree settling the suit, entered on May 7, 2021, prohibits LogistiCare from discriminating on the basis of sex, including pregnancy, in the future. The decree requires LogistiCare to pay \$120,000 and issue a letter of apology to Lewis and the other aggrieved individual. The decree also requires the company to review and revise its equal employment

opportunity policies. The decree also requires LogistiCare to train its supervisors, employees, and human resources personnel on Title VII and other anti-discrimination laws.

Resources: S.C. Human Affairs Commission; U.S Equal Opportunity Commission

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6 Reasons to Choose Mediation

According to the Equal Employment Opportunity Commission, mediation is an informal way for people to resolve disputes with the help of a neutral mediator who is trained to help people discuss their differences.

The purpose is to discuss the issue and reach an agreement that is satisfactory to all parties.

The mediator does not decide who is right or wrong or issue a decision. Instead, the mediator helps the parties work out their own solutions to problems.

1. **Mediation is free.**
2. **Mediation is confidential.**
3. **Mediation improves communication.**
4. **Mediation is fair and mutual.**
5. **Mediation avoids litigation.**
6. **Mediation identifies underlying issues.**

Resources: S.C. Human Affairs Commission; U.S Equal Employment Opportunity Commission

**If you feel like you have experienced discrimination,
contact us for help.**

**South Carolina Human Affairs Commission
(800) 521-0725, Relay 711 or 803-737-7800**

<https://www.schac.sc.gov/>

**The mission of the South Carolina Human Affairs Commission is to
Prevent and Eliminate Unlawful Discrimination in Employment,
Housing, and Public Accommodations.**