

South Carolina Human Affairs Commission

Technical Services and Training Division



Prevention Corner



An ounce of Prevention is Worth a Pound of Cure.

~Benjamin Franklin

May 2023

South Carolina
Human Affairs
Commission
1026 Sumter St.,
Suite 101
Columbia, SC 29201

(803) 737-7800
1-800-521-0725
<https://schac.sc.gov/>

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 and the SC Lactation Support Act.), the SC Fair Housing Law, the SC Equal Enjoyment and Privileges to Public Accommodations Law

TABLE OF CONTENTS

National Origin Discrimination	1
2 Things We're Talking About	2
Ask SCHAC	3
Prevention Corner	4

National Origin: Your Protections Against Discrimination

National origin discrimination involves treating people (applicants or employees) unfavorably because they are from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not). You have the right to protections against discrimination based on your national origin.

What this means for you?

It is illegal for employers to discriminate against you because of:

- You or your family's place of origin (*actual or perceived*)
- Your ethnicity
- Your name or accent associated with a national origin group (*unless the accent interferes with job performances*)
- Your marriage or association with a person of a certain national origin

Recruitment: How can employers avoid discriminating based on national origin when recruiting?

Employers and employment agencies must not discriminate during the referral process. Title VII prohibits employment agencies from referring only applicants and/or employees who are of a particular national origin.

- **Use diverse recruitment sources.** Employers should attempt to recruit from diverse sources to attract a diverse applicant pool. Recruitment practices aimed at increasing overall diversity will not violate Title VII as long as they do not exclude any particular national origin group.

Visit the EEOC webpage for more information at: [Questions and Answers: Enforcement Guidance on National Origin Discrimination | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)

Source: [National Origin Discrimination | Human Affairs Commission](#); [Questions and Answers: Enforcement Guidance on National Origin Discrimination | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)

How can I schedule training?

(803) 737-7800 or (800) 521-0725, Relay 711
email: training@schac.sc.gov

2 THINGS

WE'RE
TALKING
ABOUT

HOT TOPICS

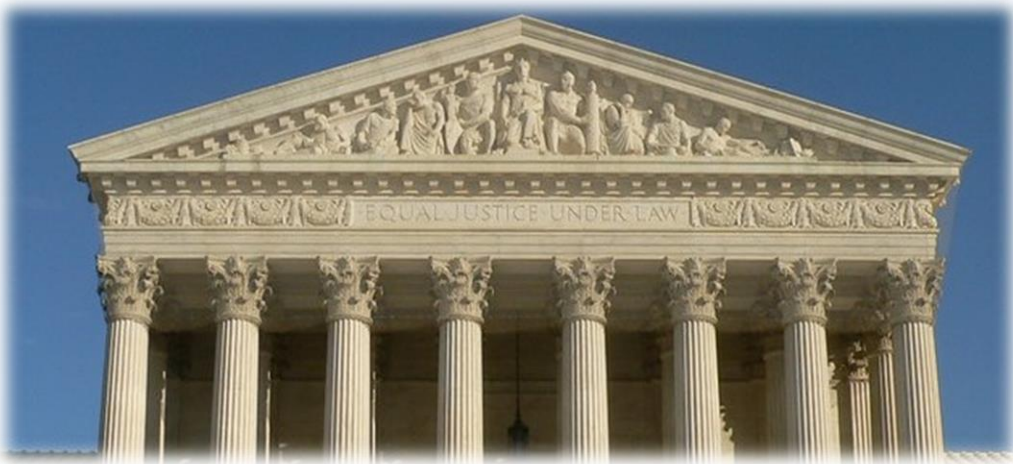
1

Myth: Giving employees a nickname associated with a certain country or national origin is not discrimination.

Fact: Not true. Giving an employee a nickname based on the employee's national origin or because his/her name is too difficult to pronounce could be evidence of harassment or discrimination.

2

May 1st is Law Day



On May 1st, Law Day celebrates the rule of law in our society and cultivates a deeper understanding of the legal profession. The 2023 American Bar Association Law Day theme is “Cornerstones of Democracy: Civics, Civility, and Collaboration.”

Read the entire article at: [ABA 65th Annual Law Day events to focus on civics, civility and collaboration \(americanbar.org\)](https://www.americanbar.org/news/press-releases/2023/05/aba-65th-annual-law-day-events-to-focus-on-civics-civility-and-collaboration/)

The National Center for State Courts has a list of events that state bar associations are hosting to engage with communities and celebrate the rule of law. **Visit this website to find the list:** [Law Day | NCSC](https://www.ncsc.org/law-day/)

Source: [Law Day \(americanbar.org\)](https://www.americanbar.org/news/press-releases/2023/05/aba-65th-annual-law-day-events-to-focus-on-civics-civility-and-collaboration/); [Law Day | NCSC](https://www.ncsc.org/law-day/)



Answers to your questions about Pregnancy Discrimination and Lactation Support Laws.

Can employers rescind a job offer because of an applicant's pregnancy?

No. This conduct violates Title VII of the Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act and the SC Pregnancy Accommodations Act, which prohibits discrimination on the basis of pregnancy, childbirth or related medical conditions.

Press Release 11-16-2022

Keystone Foods LLC to Pay \$60,000 to Settle EEOC Pregnancy Discrimination Lawsuit

Eufaula, Alabama Facility Refused to Rehire Qualified, Eligible Former Employee Who Previously Reported Unfair and Discriminatory Treatment During Pregnancy.

BIRMINGHAM, Ala. – Keystone Foods LLC, which operates a food processing facility in Eufaula, Alabama, agreed to pay \$60,000 to settle a retaliation lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC lawsuit, Keystone extended job offers to a group of 17 former employees during a series of job fair interviews for positions in its Eufaula plant, but retracted its offer to a female former employee when a records review revealed she previously filed a complaint of pregnancy discrimination and an EEOC charge against her former employer.

This alleged conduct violates Title VII of the Civil Rights Act of 1964 which protects pregnant workers from employment discrimination and bars employers from retaliating against employees who report pregnancy discrimination or file an EEOC charge against their employer. The EEOC filed suit (*EEOC v. Keystone Foods LLC*, Case No. 2:21-cv-00629-MHT-JTA) in the United States District Court for the Middle District of Alabama after its Birmingham District Office failed to reach pre-litigation settlement via its voluntary conciliation process.

Read the entire article at [Keystone Foods LLC to Pay \\$60,000 to Settle EEOC Pregnancy Discrimination Lawsuit | U.S. Equal Employment Opportunity Commission](#)

Source: [Keystone Foods LLC to Pay \\$60,000 to Settle EEOC Pregnancy Discrimination Lawsuit | U.S. Equal Employment Opportunity Commission](#)

PREVENTION CORNER

Preventing Discrimination: Best Practices

Managers and Supervisors

- Set an example of respectful workplace behavior
- Know the policy on discrimination and harassment
- Listen seriously to all discrimination and harassment complaints
- Accurately document suspected incidents

Protecting yourself

- Practice respectful behavior / Respect differences
- Report discrimination or harassment immediately
- Communicate concerns
- Document everything: Personal log, evidence, record of action taken

Source: SC Human Affairs Commission

EEO laws are designed to protect the rights of ALL individuals.

**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://schac.sc.gov/>

How can I schedule training?

email: training@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.**