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Statutory Authority: 1-13-70

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Subject: Notices to be Posted

History: 4828

By Date Action Description Jt. Res. No. Expiration Date

- 10/26/2018 Proposed Reg Published in SR

- 01/08/2019 Received by Lt. Gov & Speaker 05/08/2019

H 01/08/2019 Referred to Committee

S 01/08/2019 Referred to Committee

H 02/27/2019 Resolution Introduced to Approve 4115

S 03/13/2019 Resolution Introduced to Approve 652

- 05/08/2019 Approved by: Expiration Date

- 05/24/2019 Effective Date unless otherwise

provided for in the Regulation

Document No. 4828

**SOUTH CAROLINA HUMAN AFFAIRS COMMISSION**

CHAPTER 65

Statutory Authority: 1976 Code Section 1-13-70

65-24. Notices to be Posted.

**Synopsis:**

Regulation 65-24 states that State Agencies should, in conspicuous places, post notices for their employees regarding employee rights under the Human Affairs Law. With the passage of the South Carolina Pregnancy Accommodations Act, all employers are required to post notices describing the rights of employees found therein. This Regulation, therefore, needs to be updated to reflect those notice requirements.

Notice of Drafting for the proposed amended regulation was published in the *State Register* on September 28, 2018.

**Instructions:**

Replace Regulation 65-24 as printed below.

**Text:**

65-24. Notices to be Posted.

Each employer shall post, keep posted, and maintained in conspicuous places upon their premises where notices to employees and applicants for employment are customarily posted a notice to be prepared and distributed by the Commission setting forth excerpts from and/or summaries of, pertinent provisions of the Human Affairs Law, and information pertinent to the filing of a complaint.

**Fiscal Impact Statement:**

No additional state funding is requested. The Agency estimates that no additional costs will be incurred by the state in complying with the proposed amendments to 65-24.

**Statement of Rationale:**

Regulation 65-24, Notices to be Posted, should be changed to assist employers with complying with the statutory changes of the Pregnancy Accommodations Act. That act requires conspicuous posting of written notice at the employer’s place of business of an employee’s right to be free from discrimination under the Act. As such, the regulation regarding Notices should be updated to reflect the expanded requirements of all employers, rather than merely state agencies. The Pregnancy Accommodations Act further states that “The commission shall develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment agencies, and applicants for employment about their rights and responsibilities under this item.” Lastly, the Commission is authorized to promulgate “regulations requiring the posting of notices prepared or approved by the Commission.” S.C. Code. Ann. § 1-13-70 (c).