

MINUTES OF BUDGET AND CONTROL BOARD MEETING

MARCH 9 1976

The Budget and Control Board held a special meeting at 2:30 p. m. on March 9, 1976, for the purpose of discussing executive session items which were carried over from the meeting of March 2, 1976. Those members in attendance were as follows.

Governor James B. Edwards  
Mr. Grady L. Patterson, Jr.  
Mr. Henry Mills  
Mr. F. Julian LeaMond

Also in attendance were Messrs. P. C. Smith and W. T. Putnam.

By unanimous consent of those present, the meeting was conducted entirely in Executive Session.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL - At the meeting of March 2, 1976, Dr. Kenneth Aycock, Commissioner of Health and Environmental Control, requested permission to pay moving expenses for Mr. James E. Earle who had been dismissed from employment but who had later been reinstated at the direction of the State Employees' Grievance Committee. (See minutes of the meeting of March 2, 1976 for details) At the previous meeting Budget and Control Board members had discussed this matter thoroughly but had taken no action.

Board members present unanimously approved a motion by Mr. LeaMond, seconded by Mr. Patterson, denying authority for the Department of Health and Environmental Control to pay the requested moving expenses.

MEDICAL UNIVERSITY OF SOUTH CAROLINA - Dr. William Knisley, President of the Medical University of South Carolina, appeared before the Budget and Control Board to request permission to establish and fill 167 new positions at his institution. He explained that 65 of these individuals would staff the new eye clinic, 84 would be assigned to the out patient clinic and 18

would be needed in the newly renovated hospital facility.

Dr. Knisley reported that the total annual cost for these new positions will exceed \$880,000 but that most of these positions will be filled by income producing employees. He also stated that funds for these positions can be made available from the current budget and that no additional monies will be requested.

Board members present unanimously approved the establishment of these positions with the understanding that no additional appropriated funds will be requested for these positions.

STATE EMPLOYEES' GRIEVANCE COMMITTEE HEARING - CHARLES W. HAMMOND -

Board members had previously been furnished with copies of the findings of the State Employees' Grievance Committee and a transcript of the hearing in the case of Charles W. Hammond of the Vocational Rehabilitation Department. This item was first discussed in Executive Session at the meeting of March 2, 1976, but Board members requested that the matter be carried over to a subsequent special meeting. At the present meeting, Dr. Jack Mullins, Director of the Personnel Division, and Mr. Steve Savitz, Assistant Attorney General, appeared before the Board to furnish advice as requested. Mr. Daniel McLeod, Attorney General, also attended the meeting.

After a thorough discussion of the case, Board members agreed that the facts, as outlined in the transcript, warranted dismissal of the employee from his position. Board members, therefore, unanimously approved a motion by Mr. Mills, seconded by Mr. LeaMond, reversing the decision of the State Employees' Grievance Committee which had directed that the employee be reinstated by the Vocational Rehabilitation Department.

Data pertaining to this matter has been retained in these files and is identified as Exhibit I.

GRIEVANCE PROCEDURES - Mr. McLeod discussed the entire grievance procedure with Board members and indicated that there are definitely weaknesses

in the plan as presently practiced. He stated that the Budget and Control Board will sooner or later find itself in court because of its function with respect to the reviewing of the findings of the Grievance Committee. He indicated that, before ruling on any case, Board members should completely study all transcripts and have a thorough familiarity with the case. Because of the increasing number of grievance hearings, such study by all of the Board members will take a great deal of time.

Mr. McLeod also pointed out that an individual grievant may take his case to court under his constitutional protections whereas a court appeal is not open to the agency. He suggested that perhaps the Budget and Control Board should be omitted as a hearing agency and that any appeal from the Grievance Committee should go directly to the courts. Mr. McLeod suggested that in the absence of this procedure, the Budget and Control Board should obtain a thorough summation of all cases before ruling upon their merits.

Board members unanimously approved a motion by Mr. Patterson, seconded by Mr. LeaMond, directing Dr. Jack Mullins to prepare a thorough summation of all cases including a recommendation.

PERSONNEL POLICIES AND PRACTICES REVIEW - Governor Edwards reported that a Federal grant of \$5,000 was available through the Division of Administration for a study of the personnel policies and practices of the State of South Carolina and suggested that the firm of Thompson, Ogletree and Deakins of Greenville, South Carolina be retained to make this study.

Board members unanimously approved a motion by Mr. LeaMond, seconded by Mr. Mills, authorizing the hiring of the firm of Thompson, Ogletree and Deakins to review the personnel policies and practices of the State Government. It was understood that this study would be coordinated through Mr. P. C. Smith.

There being no further business, the meeting was adjourned at

5:00 p. m.