



State of South Carolina

Office of the Governor

NIKKI R. HALEY
GOVERNOR

1205 PENDLETON STREET
COLUMBIA 29201

December 20, 2016

VIA ELECTRONIC DELIVERY

Chairman John A. Oakland
South Carolina Human Affairs Commission
johnaoakland@gmail.com

Chairman Oakland:

Enclosed please find correspondence that the Governor's office received from Mrs. Deborah Thomas, an employee at the Commission. Mrs. Thomas alleges discrimination against Commissioner Raymond Buxton, II.

The Governor's office is not the appropriate venue to review such allegations, and therefore, I am providing the complaint to you as Chair of the Commission's Governing Board. Please confirm receipt and confirm that this issue will be reviewed.

I appreciate your assistance in investigating and resolving this matter.

Thank you,

A handwritten signature in blue ink that reads "Richele K. Taylor".

Richele K. Taylor
Chief Legal Counsel

Enclosure

October 4, 2016

I am and have been an employee at the S. C. Human Affairs Commission for the past 20 years.

The attached is a copy of correspondence that I sent to Raymond Buxton, II, Commissioner to primarily address my "Diminished Capacity of Employment Status."

I have been trying to get these rectified since Mr. Buxton became Commissioner in 2012.

I am requesting that you take the time to read the attached. These matters concern not only me, but there are others who have been adversely affected by these issues, to include: Agency employees and the Constituents of this State.

Thank you for your time and attention.

Respectfully,



Deborah Thomas
P. O. Box 175
Springfield, SC 29146
803-308-7790



Subject: Diminished Capacity of Employment Status / Undue Stress and the United Way Leadership Team Letter dated September 21, 2016:

The following points may be considered an unusual reaction to the United Way Letter. Except that the letter becomes the driving force for my need to address a myriad of difficult experiences in my life as a Human Affairs Employee.

The challenge for the Key Leaders to make sure that: (1) the number of employees using payroll deduction increases; and (2) 100% employee participation is maintained; is what I deem to be undue pressure. Employees should not be coerced to comply with any demands where voluntary participation is warranted. Key Leaders should not be made to feel responsible for what another employee contributes, or does not contribute to the United Way.

- What impact will my level of participation in the United Way Drive, as a Key Leader, have on my future pay increases?
- Will the level of my participation interfere with my continued employment at the Commission?
 - Since you previously offered to assist me in going to work for any other state agency than remain at the Human Affairs Commission; I do not wish to be set up to be punished any further.
 - You have already stunted my financial growth by withholding significant pay increases.
 - Yet there is a white, nonessential employee who has been with the Commission about 3 years, it appears that she has received at least \$5,000 total in increases during this time in order for her to now be receiving an annual salary of \$55,000+; about \$6,000 more than I.
 - A white, nonessential employee given a \$3,000 pay increase; has worked at the Commission less than 1 year and receiving \$51,000+.
 - Approximately \$20-25,000 pay increases given to two nonessential employees at one time:
 - One of the positions was created for a white male that you placed over all the divisions: Compliance, Community Relations (and public relations), Technical Services, and building maintenance. Do you really believe that he is the only employee capable of managing divisions/units at the Commission? Or is that just a safety net? Then after revealing in a board meeting that this same employee did not meet his goal, you proceeded to create the Deputy Commissioner's job for him and gave him such a huge increase; annual salary \$82,000+. The other position - being a younger employee who has been at the Commission for about 3 years annual salary now \$66,000+. Was this incentive to learn her job?
 - A Program Coordinator II position (investigator/IT point of contact) created for a retired white male who was rehired at temporary status; then rehired at permanent status, and is now a supervisor; annual salary of \$56,000+. When I found out by accident that the job was posted online, I applied; and of course I did not get the job. The reason I was given was that the white male had more recent experience than I. I could not argue that he had recent experience; but better qualified, I think not. If you will recall, I was the Information Resource Coordinator from 1996 until 2006, developed the Agency's technology plan and managed all aspects of the position for 10 years until I was promoted to Intake Investigator in employment. During the 10 years, the Commission invested in my training and I advanced my skills and became a Certified Network and Systems Administrator.

How did you justify creating these positions and giving these outrageous pay increases? To whom are you accountable for these actions? And why is any one employee so much more valuable to you, than me and others who kept the agency functioning effectively before your return from retirement status? *This could cause one to question how the Agency's funds are being managed.*

Since your return, I feel that I have been under constant attack; and that increasing efforts have been made to diminish me *both as an employee and a human being*. You, involuntarily, transferred me out of Employment Intake where I had managed for nearly five years. When I requested additional compensation, you moved me to the Fair Housing Division where I really was not needed at the time.

If you are comfortable with my oppression, then you are my oppressor.

- A. Phillip Randolph

While I was in Employment Intake, I was drafting both Employment and Housing Complaints. In spite of being involuntarily transferred, I flourished in the Housing Division. As I proceeded to draft Housing Complaints during this transfer period, I have also done the following:

- (1) *created* the Agency's Website in 2013 – **and received no compensation**
- (2) took the initiative and volunteered to *investigate* Fair Housing cases after you fired an investigator in 2014. As you will recall, I kept you informed during the investigation of the five cases that I was assigned as well as the case I brought in and conciliated. – **I received no compensation**
- (3) *maintained* the Agency's website from 2014 until 2016. -- **I received crumbs from the table**
- (4) On two separate occasions you had enough confidence in me to ask me to train two Fair Housing employees, an investigator and the administrative specialist. The investigator was a Hispanic male who was not properly trained on the Intake process after being hired. He let it be known **that he received a significant pay increase without being properly trained**. The administrative specialist needed to be trained on office management to assist with her administrative duties in Housing. To assist in correcting this product of poor management, you did not hesitate to ask for my help.

Repeatedly, from 2012 thru 2015 I requested to be reclassified to a Program Coordinator II. Initially I made the request because you chose to involuntarily transfer me rather than promote me to Director, Supervisor, or even Lead investigator for Employment Intake. You responded to me that you could not justify reclassifying me. After having managed the Unit for almost five years, I had more than earned a promotion. But you freely advanced others while refusing to look favorably on my contributions at all. I wonder why; why not?

You also told me that there would be no more Program Coordinator II positions available. I repeat: "you created the first Program Coordinator II position for a white male, an employee you rehired out of retirement." **You finally reclassified my position after four years and added 5% to my salary. This placed undo stress on me; as I could not understand your reasoning.**

Since you became Commissioner, the criteria to receive significant pay increases include being **younger, male, and/or white**. Sadly to say you have diluted the original Mission of the agency, because your definition or justification does not include that an employee is able to perform essential duties, be agency experienced, and have essential employee status. Who do you consider to be essential employees?

You have placed me and other senior "African American female employees" under scrutiny while you have tolerated serious problems in Employment Intake by allowing:

- a younger white female to remain in Employment Intake, and be promoted to supervisor. Under her guidance, the inquiries have bottlenecked; a hostile work environment has been created, as employees are being antagonized on a daily basis; and questions have arisen regarding whether or not she is a team player? The Unit has been in turmoil for some time, but you promoted her and allow her to continue.

Note: I fail to understand your willingness to jeopardize the Agency in this fashion, further you want even ask me to review the Employment Complaints. Could it be that this would be verification that you made a mistake when you involuntarily transferred me out of the Unit.

Allowing personal vendettas or dislike for me and other senior African American employees (women in particular) to interfere with effective placement or utilization in Units/Divisions where our expertise would bring enhancement is poor management. Your actions have had a negative effect on the Agency as a whole, in addition to compromising the Federal contracts. And your actions or lack thereof, is damaging to the State as a whole – who really hurts is the CONSTITUENT.

- You have refused to acknowledge that the Mediator, "African American male" who was a senior investigator and most knowledgeable of the all areas of the Commission, has solidified Employment for the past four years based on his expertise and productivity. **Why?**
- You have failed to recognize the skills and abilities of a senior Black female investigator who is competent in both employment and housing investigations and has supervisory experience. **Why?**

I hope you will find it within yourself to enlighten me about **why** you have treated me so badly. If you are honest, you will agree that I am among the protected classes of age over 40, African American race, and female

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– A. Phillip Randolph

gender that you have treated worse than the others. I wish you had taken positive action to improve the workplace discrimination when the results of "The Weathers Group Team Building Session Survey" revealed that 60% of the employees felt that there were discriminatory issues at the Agency.

I have been oppressed by you, "an African American male," who are in a position of power; as you have clearly abused your power. You even condoned an egregious error made by your purchasing agent who approved my travel advance prior to attending a work related conference in 2015, but was denied my full reimbursement upon my return. I must admit that it has been hard to remain passionate about this work that I love so much; and continue to perform so well. I want you to take a look at this link <https://www.youtube.com/watch?v=SiuZY1tspds&feature=youtu.be> and listen because you have done the same to me; this video captures how I feel and how I have been feeling for the past four years. No one should be treated in this manner.

If your intentions were to diminish me as an employee and a person; then, you have succeeded. You have created chaos in my life, and controlled my income capability as well. And adding insult to injury, you have allowed an unhealthy emotional and physical environment to prevail at the agency,

- African American employees are being subjected to the verbal derogatory opinions of white employees who converse about the police attacks that have resulted in multiple African American deaths around the nation.
- I am continually at the doctor's office (mold and mildew in the building) which exacerbates my disability.

I have no other recourse but to share this document with the individuals and groups to which I have sent carbon copies; so that matters concerning my welfare will no longer be dealt with in isolation.

Wishing you the best in your future decision-making, I am,

Sincerely,

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- A. Phillip Randolph