

SUMMARY

S.C. DEPT. of Health and Environmental Control



A LIMITED REVIEW OF:

- HUMAN RESOURCES
- DIVERSITY, EQUITY, AND INCLUSION
- TRAINING



HUMAN RESOURCES

Members of the S.C. General Assembly requested that we conduct an audit of the S.C. Department of Health and Environmental Control's (DHEC) hiring practices and Office of Diversity, Equity, and Inclusion.

OBJECTIVES

- Determine agency compliance with relevant federal and state nondiscrimination and equal opportunity laws regarding employment practices.
- Assess agency training for compliance with nondiscrimination and equal employment laws and regulations.
- Determine the role of DHEC's Office of Diversity, Equity, and Inclusion.

DHEC is charged with promoting and protecting the health of the public and the environment in South Carolina. DHEC has four divisions:

ENVIRONMENTAL AFFAIRS

HEALTHCARE QUALITY

PUBLIC HEALTH

SUPPORT SERVICES

DHEC does not follow its own hiring policies. We reviewed hiring documents for a sample of 50 positions filled between July 2, 2021 and November 21, 2022 and found DHEC:

Hired individuals who did not meet the required qualifications.

Changed job postings to accommodate certain candidates.

Changed interview scores to select certain candidates.

Extended written offers prior to obtaining approval from DHEC's Office of HR.

Asked HR where applications were for specific candidates that were not forwarded as qualified.

Did not follow agency policy for checking candidate references.

Did not follow written agency guidance for interviewing candidates.

We found DHEC does not maintain hiring records according to its policies nor in a centralized location. We reviewed email communications for a sample of DHEC employees involved in the hiring functions and found examples of pre-selection and a potential violation of the nepotism policy. Additionally, DHEC's hiring processes have not been audited internally in the past four years.

DISCONNECT BETWEEN OFFICE OF HR, REGIONAL HR, AND HR IN THE BUREAUS

During our review, we found DHEC has minimal coordination and communication between the Office of HR, regional HR, and HR individuals in the environmental affairs bureaus. Also, the regional HR function is structured in a way that potentially negatively impacts operations.

AUGUST 2023

LEGAL CLAIMS AND FINDINGS REGARDING EMPLOYMENT DISCRIMINATION

DHEC's employment practices from FY 18-19 through FY 21-22 have not resulted in disproportionate accusations or findings of violating federal and state equal employment opportunity (EEO) law compared to similarly-sized state agencies. DHEC had two lawsuits that alleged discrimination in violation of EEO law; both settled.

EMPLOYEE GRIEVANCES AND GRIEVANCE APPEALS

Compared to other similar, large state agencies, DHEC had the fewest grievance appeals filed against it from FY 18-19 through FY 21-22.

DO DHEC EMPLOYEES FEEL THEY HAVE BEEN DISCRIMINATED AGAINST?

In our DHEC employee survey, 7% (137 of 1,986) of DHEC staff responded that they feel like they have been discriminated against while employed at DHEC. We found notable increases of these concerns in certain groups and areas of the agency including: the Bureau of Healthcare Quality, central office, the upstate regional office, employees in older age groups, and those who identify as Asian American and Hispanic/Latino.

DIVERSITY, EQUITY, AND INCLUSION

OVERALL DHEC STRATEGIC PLAN

DHEC's strategic plan includes diversity, equity, and inclusion (DEI) as a strategic pathway. DHEC is in the process of recruiting an agency-wide chief inclusion officer.

DEI IN ENVIRONMENTAL AFFAIRS

On the environmental affairs side of the agency, DHEC has an Environmental Justice Division, which focuses on how DHEC's decisions could intentionally or unintentionally affect the environment and the public.

DIVERSITY, EQUITY, AND INCLUSION OFFICE

- On the public health side of the agency, DHEC has a Public Health Diversity, Equity, and Inclusion Office, which disseminates a monthly newsletter with DEI resources to public health managers and leaders.
- The Public Health Diversity, Equity, and Inclusion Office conducts comprehensive needs assessments and creates service delivery plans based on the DEI needs of the public health staff, in conjunction with other programs focused on health equity.
- The Public Health Diversity, Equity, and Inclusion Office has its own strategic plan that is in draft form.

EMPLOYEE TRAINING

We evaluated DHEC's training and relevant policies and procedures from FY 18-19 through FY 21-22. DHEC's required training for all employees does not contain content that violates nondiscrimination law, nor does the training developed by the agency's Public Health Diversity, Equity, and Inclusion Office.

REVIEW OF SELECTED TRAINING CONTENT

We also reviewed a 2020 training for DHEC leadership regarding "...the current state of diversity, equity and inclusion in America," that included an introduction to "...diversity, equity and inclusion tools that can guide the development of actionable plans." We did not find any indications of potential discrimination in accordance with relevant legal standards in our analysis of this training.

PUBLIC HEALTH TRAININGS

DEI content has been included in DHEC's public health training since at least FY 18-19; however, DEI content has increased, especially in FY 21-22, corresponding with a trend in the general field of public health.

TRAINING POLICIES AND PROCEDURES

DHEC's training policies and procedures are limited and do not include best practices identified by the S.C. State Agency Training Standards. This creates unnecessary risk that the agency could sponsor inappropriate or discriminatory trainings.

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