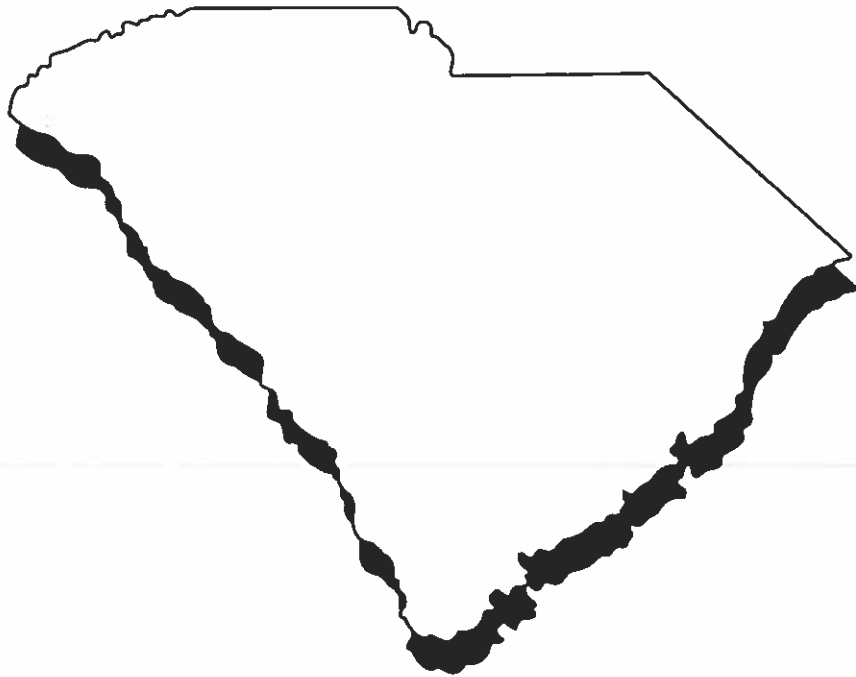




SOUTH CAROLINA DEPARTMENT OF  
LABOR, LICENSING AND REGULATION



1995-96 ANNUAL REPORT

David M. Beasley, Governor  
Lewis F. Gossett, Director





# LLR

## SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION

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The Honorable David M. Beasley  
Governor of South Carolina

Enclosed is the third Annual Report from the South Carolina Department of Labor, Licensing and Regulation for the fiscal year ending June 30, 1996.

This report attempts to reflect the activities and development of the agency during this period. Any additional information desired can be obtained from this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lewis F. Gossett".

Lewis F. Gossett  
Director of Labor, Licensing and Regulation

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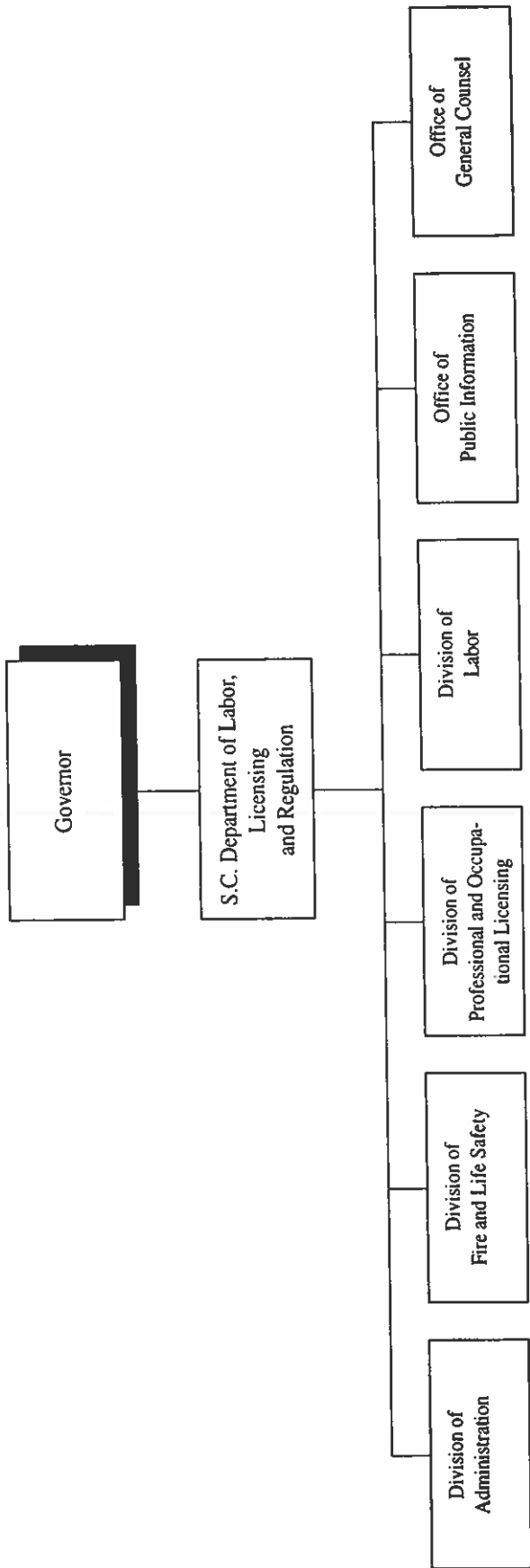
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# Agency History

The South Carolina Legislature restructured a significant portion of state government in 1993. Effective Feb. 1, 1994, Act 181 created the South Carolina Department of Labor, Licensing and Regulation (LLR). It merged the Department of Labor, State Fire Marshal's Office, and 38 professional and occupational licensing boards to form the new agency.

The legislation empowered the governor to appoint a director of the agency with the advice and consent of the Senate.

LLR has been organized into four divisions: Fire and Life Safety, Labor, Professional and Occupational Licensing and Administration.



# Mission Statement

**T**he mission of the South Carolina Department of Labor, Licensing and Regulation is to protect the safety, health, and well-being of the citizens of South Carolina by the appropriate regulation and education of employers and employees, licensed professionals and occupational practitioners, and property owners and property users.

We will accomplish our mission by:

- promoting a regulatory climate where businesses and individuals can create jobs and wealth which will in turn benefit our citizens;
- conducting appropriate inspection and complaint investigation programs and, when necessary, pursuing enforcement options as provided by law;
- administering licensing, permitting, and certification programs, as provided by law;
- providing appropriate education, information, and outreach programs;
- serving as the state's fire safety focal point by providing code enforcement, fire safety education and prevention programs, and training to volunteer, paid, and industrial firefighters; and
- responsibly using resources available to us to serve the public in an impartial, consistent, timely, and courteous manner that promotes trust, confidence, and accountability between us and those we serve.

# Accomplishments 1995-96

## Division of Fire and Life Safety

### *Office of State Fire Marshal*

- Nearly doubled the number of foster home inspections.
- Changed pagers for the deputy state fire marshals from Columbia numbers to 1-800 numbers so citizens and others do not have to pay for long distance calls when getting in touch with them.
- Streamlined the plan review process, decreasing turnaround time without compromising the quality of the review.
- Revised the Fire Marshal's Certification Program.
- Conducted a training class each month for deputy state fire marshals.
- Purchased gas meters for deputy state fire marshals.
- Conducted six training seminars which were open for local authorities having jurisdiction.
- Worked with the S.C. Fire Academy and gas industries to provide training programs for fire department personnel as well as industrial personnel.
- Reactivated the "Save Our Children" program with the S.C. Department of Health and Environmental Control in May 1996. Fire safety education training was conducted by the Fire Marshal's public education staff with the S.C. Department of Disabilities and Special Needs and Carolina Health Care.
- Secured computers for fire departments to use and report on the S.C. Fire Incident Reporting System.
- Reached more than 50,000 students in kindergarten and first grade with the office's comprehensive Freddie Fire Smart Safety Program. The office also developed and piloted the Freddie Program for second- and third-grade students.
- Worked with other state agencies in the distribution of smoke detectors and fire safety material across the state.
- Distributed news releases to various sources across the state including the media and universities on fire, heating, holiday and fireworks safety.
- Conducted a public fire safety symposium to solicit ideas from fire service leaders across the state on additional ways to get the fire safety message to the public.

### *The S.C. Fire Academy*

- Became fully operational.
- Finalized the Hoechst Celanese agreement with two fire schools and two instructor orientation workshops.
- Enhanced physical site props on-site.
- Marketed the Fire Academy nationally.
- Developed an industrial marketing video with S.C. Educational Television.
- Placed a rail car, tankers, and confined space rescue props on-site.
- Revised instructor certification program and implemented new system for 600 part-time instructors.
- Implemented a computerized program evaluation system for resident training.
- Introduced a system for local fire service to request courses from regional offices to better meet local needs.
- Developed standard operating policies for regional office course delivery to include industrial training.
- Integrated regional office computers with the Fire Academy database to make student and instructor transcripts available at the local level.
- Provided regional faculty members with state vehicles, cellular phones and 1-800 pagers for better fire service contact.
- Expanded the recruit school from four to six weeks to provide National Firefighter II certification.

### **Division of Labor**

- In all offices, travel has been reduced. There have been significant savings in travel, mileage and expenses by consolidating inspections of elevators and amusement rides by regions. The Office of Voluntary Programs has implemented a plan to transfer on-site training to regional training by using the technical college system which also reduces travel costs.
- The OSHA Compliance Section implemented a policy not to issue citations for other-than-serious violations corrected during an inspection. This resulted in the immediate abatement of 1,186 violations. Also, the section gives an additional 15 percent penalty reduction for immediate abatement of serious hazards. This has reduced the number of protested cases.
- The Office of Elevators and Amusement Rides, with the assistance of its advisory board, developed "An Amusement Ride Operators Introduction to the South Carolina Amusement Ride Safety Course" for ride operators.
- The Office of Voluntary Programs has more VPP Star sites than any other state with a State OSHA Plan. Also, all consultants are using computers to generate reports. The OVP administrator is now writing articles for Fire and Life Safety News and OSHAGRAM, two LLR publications.
- The Office of Mediation for Organized Labor is being pro-active in building a relationship with labor and management. It has given the agency an opportunity to intervene in disputes prior to strikes and/or lockouts, which have been kept to a minimum this past year. This duty has been performed by visiting employers and labor organizations and building trust with both sides. The office assisted in negotiations and offered other problem-solving techniques.
- The Office of Labor Services has implemented an automated voice mail system to assist callers. The office also educated the public through more than 1,000 mailouts to various employers in the state and through an appearance on S.C. Educational Television to discuss child labor laws.
- The South Carolina Migrant Farm Workers Commission suggested and supported Bill 3740. This new law provides for a seasonal farm worker to be added to the commission and pre-occupancy inspections to be performed by the Employment Security Commission when funds are available. The office also cooperates with Eastern Stream Center on Resource and Training to provide services to migrant families through a nationwide series of 800 telephone numbers.

### **Division of Professional and Occupational Licensing**

- The Division began the first phase of imaging, a process which will allow the boards to copy their existing records onto computer disks. This will free up floor space because filing cabinets will no longer be needed.
- The Division was successful this year in getting the "Engine Bill" passed by the state legislature. This bill is designed to clearly define the role of LLR and the role of its boards and commissions. The bill gives LLR, the boards and commissions the template for rewriting the practice acts. One benefit of rewriting the practice acts includes making language in all practice acts uniform where applicable.
- The Board of Accountancy began subcontracting to a private entity the administration of the CPA exam. CPA Examination Services (CPAES), an arm of the National Association of Boards of Accountancy who administers the CPA exam for more than 15 states, provides a high degree of expertise and will save the state in time and expense. The board also established a new disciplinary process, disciplinary review committee and an 800 telephone number for complaints.
- The Board of Architectural Examiners increased staff training in preparation for transition to an office environment of networked personal computers, a national computer-administered examination and expanded technological capabilities. A disciplinary database was developed to ensure fairness and consistency in sanctions. And information related to the computer-administered examination was developed and sent to all South Carolina candidates.
- The Athletic Commission established color-coded, user-friendly applications, an inspection / investigative team for each athletic event, a new disciplinary process and review committee, and an 800 telephone number for complaints. It also participated in National Fight Fax athletic database for



participant fight records and amended statutes and regulations to provide a Bloodborne Pathogen Control Plan.

- The Auctioneers' Commission established five continuing education seminars for licensees free of charge, created new color-coded, user-friendly applications, established a new disciplinary process, complaint tracking system and an 800 telephone number for complaints.
- The Board of Barber Examiners established a new disciplinary process, review committee, computer tracking system, and an 800 telephone number for complaints. It also cross-trained and stationed inspectors throughout the state to conduct barber inspections and investigations and developed color-coded, user-friendly applications.
- The Board for Barrier Free Design established a program to recognize and present awards to architects, contractors and building owners and managers who voluntarily exceed the minimum requirements for accessibility and use of buildings, structures and other public spaces, by disabled people. It also rewrote the Barrier Free statutes to coincide with the new board template statute.
- The Building Codes Council performed research and initial groundwork for a completely automated, electronic plan submittal, review and storage system. The system will allow modular building manufacturers to submit all building plans for review to the Building Codes and Related Services office via computer. Upon approval, the plans will be transferred to disk for storage. When in affect, the process will save modular manufacturers time and money in the plan review process and vastly reduce the area required for BCRS to store those documents.
- The Board of Chiropractic Examiners accepted the National Board Part IV practical examination and issued its first newsletter.
- The Contractors' Licensing Board rewrote the General and Mechanical Contractor's Burglar and Fire Alarm and Fire Sprinkler statutes to coincide with the new board template statute.
- The Board of Cosmetology established color-coded, user-friendly applications, a disciplinary process, and an 800 telephone number for complaints. It also purchased a new computer system to more efficiently and effectively manage licensee information.
- The Board of Dentistry joined the Southern Regional Testing Agency, Inc. (SRTA) which provides dental examination services. Effective Jan. 1, 1996, the board began accepting results of the SRTA dental examination in consideration for licensure of dentists in South Carolina.
- The Board of Registration for Professional Engineers and Land Surveyors now has the authority to require continuing professional development as a requirement for license renewal and is working on procedures to implement that requirement. Legislation was enacted to require specific education, experience and examinations for registration as a land surveyor. Legislation also was enacted to require professional registration for the practice of professional engineering and land surveying through corporations, partnerships, firms and similar business entities.
- The Environmental Certification Board conducted examinations at 18 locations around the state. It updated its computer services with the installation of new computers and software. It also developed a bill to reclassify water treatment operator classifications. The bill was made necessary because of a S.C. Department of Health and Environmental Control bill which reclassifies water treatment plants.
- The Board of Registration for Foresters established color-coded, user-friendly applications, a disciplinary process and an 800 telephone number for complaints.
- The Board of Funeral Service established color-coded, user-friendly applications, a computer system, a disciplinary review committee, and an 800 telephone number for complaints. It also provided continuing education seminars.
- The Board of Registration for Geologists established color-coded, user-friendly applications, a disciplinary process, computer system and an 800 telephone number for complaints.
- The Board of Long Term Health Care Administrators enacted a new policy that requires administrators to keep up with their continuing education records.
- The Manufactured Housing Board started preparations for the licensing of installers, contractors and repairers of manufactured houses.
- The Board of Medical Examiners changed its license verification process, and portions were computerized, which moves the board closer to an on-line licensure verification system directly accessible to the public.
- The Board of Nursing, along with other boards in the Medically Related Professions, developed a new random drug screening through CPS with a vendor. This means licensees being monitored by the board now are required

to call an 800 telephone number to find out if it is their time to be randomly checked. If it is, the licensee is required to go to a certain lab to be checked.

- The Board of Occupational Therapy rewrote its Occupational Therapy Practice Act to conform with the new board template statute.
- The Board of Examiners in Opticianry has implemented a one-day response time for all inquiries.
- The Board of Examiners in Optometry redesigned the South Carolina Practical Examination in Optometry to allow for a one-day test administration and to accept Part III of the NBOE.
- The Board of Pharmacy installed a computer network to enable records management to be accomplished in-house. In addition, an on-line terminal was installed which connects the office with most other state boards of pharmacy and the NABP.
- The Board of Physical Therapy Examiners established procedures for implementing computer-based testing for the administration of the National Physical Therapy Examination to be effective July 1, 1996.
- The Pilotage Commission assisted in the passage of laws that affect the age of apprentice pilots.
- The Board of Podiatry Examiners added continuing education requirements, added a one-year residency requirement, revised its examination requirements, and revised its disciplinary procedures and penalties.
- The Board of Examiners for Licensure of Professional Counselors, Associate Counselors, and Marital and Family Therapists streamlined and transferred computerized licensee records from d-base to paradox. It also updated and revised all material and forms related to the licensing process of the board.
- The Board of Examiners in Psychology is now on the Internet and can be e-mailed at psyboard@zip.llr.sc.edu. The board also offers a redesigned newsletter for its licensees and other interested persons.
- The Pyrotechnic Safety Board restructured its operations and the sharing of functions to minimize staffing requirements.
- The Real Estate Appraisers Board approved an Investigative Review Committee to review complaints. The board also entered into a reciprocal continuing education agreement with the Real Estate Commission.
- The Real Estate Commission now has pre-license testing available through a national testing service (ASI) enabling candidates to be tested five days a week in locations throughout the state. The commission implemented a telephone service network (1-803-SERVICE), providing licensees with 24 hours per day, seven days a week access to the commission. The system also includes an interactive voice response system for accessing current status of continuing education credits. The commission also established the Center for Applied Real Estate Education and Research at the University of South Carolina. The center researches and makes available to the real estate industry current information and tools to help licensees better serve the public.
- The Residential Builders Commission created and started utilizing the Investigators Review Committee and Informal Conference processes to handle consumer complaints in a more effective and efficient manner.
- The Board of Social Work Examiners now offers its exam by ExPro computer on a daily basis and offers a redesigned newsletter to its licensees and other interested persons.
- The Board of Speech-Language Pathology and Audiology revised its practice/licensing acts, held regional meetings with licensees regarding the changes and held information exchange meetings with its professional associations. The board also initiated a newsletter this year.
- The Board of Veterinary Medical Examiners developed a veterinary specialty identification on database. It also implemented a statewide inspection of veterinary facilities.

### **Administration and Public Information**

- Administration rewrote the agency's policy and procedures manual.
- Administration trained all LLR employees in Fourth Generation Management.
- Administration established an internal E-mail system.
- Administration designed and implemented a computer program to match records with the Department of Social Services in order to carry out the mandates of the "Deadbeat Dad" legislation regarding licensure.
- The Office of Public Information started several new newsletters and created brochures for its Professional and Occupational Licensing boards. It also redesigned several of its existing newsletters and other publications.
- The Office of Public Information took over the agency's Home Page on the Internet and began updating and expanding information on LLR.
- The Office of Public Information started a speaker's bureau.

# DIVISION OF FIRE AND LIFE SAFETY

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The Division of Fire and Life Safety serves as the fire safety focal point for South Carolina, maintaining a statewide delivery system for fire prevention, protection and training services. The division provides leadership, guidance and services needed by the fire service to carry out its responsibilities at the local level. The Office of State Fire Marshal and the S.C. Fire Academy comprise the division.

## Responsibilities

Statutory responsibilities for the primary programs of the division are as follows:

### Code Enforcement (23-9-10 through 23-9-180):

Charges the State Fire Marshal with responsibility for requiring compliance with national and state-adopted fire safety codes and standards promulgated by the Division of Fire and Life Safety and the Liquefied Petroleum Gas Board and gives authority to the State Fire Marshal to inspect buildings for codes compliance.

### S.C. Fire Academy (23-10-10):

Charges the Fire Academy with the operation of a training facility to upgrade the state's fire service personnel—paid, volunteer and industrial.

## Programs

### *Office of State Fire Marshal*

The Office of State Fire Marshal has regulatory responsibility to ensure compliance with state fire safety regulations. This is accomplished through inspection activities by deputy state fire marshals in the field and code consultation and plans review services provided by the Engineering Services Section. Fire prevention activities aimed at reducing the state's fire death rate are managed by the Public Fire Safety Education Section. Activities include the distribution of smoke detectors, programs in the schools to educate youth, and the dissemination of timely fire safety information to the public.

### *Public Fire Safety Education*

#### *Fire Death Statistics*

A 10 percent reduction in fire deaths during 1995 continues to break the upward trend established by past history. South Carolina is beginning to reap the benefits of increased emphasis being placed on fire safety education by this office as well as at the local levels. Data collected for 1995 by this office shows that 108 people lost their lives due to fire, 12 less than during 1994. Leading causes of fire deaths continue to be electrical and heating.

### ***Get Alarmed, South Carolina!***

The "Get Alarmed" program is a continuing fire safety program with its main objective to reduce fire deaths in South Carolina. There are two main goals associated with the program: 1) To alarm citizens about the fire problem and teach them about fire safety through an ongoing public awareness campaign; and 2) To provide smoke detectors to high-risk citizens throughout the state. Through a collaborative effort with the local fire service, community-based organizations, other state agencies, and industry, about 300,000 smoke detectors have been distributed, with almost 100,000 being placed during this fiscal year. A concerted effort to incorporate fire safety education into programs established by other state agencies, which already reach high-risk groups, continues to expand. One example is DHEC's Children's Health Services, where nurses go into homes in low-income areas to provide in-home health care, and also provide education on fire safety. The office has also partnered with DHEC's Office of Injury Prevention and the South Carolina Safe Kids Coalition to reach a broader audience with fire safety education.

### ***Fire Safety Curriculum For Public Schools***

Public fire safety educational efforts of this office include the development and implementation of a comprehensive fire safety educational curriculum for students in kindergarten through sixth grade. Using the state's public school system as its delivery mechanism, the kindergarten through first grade "Freddie's Fire Smart Kids" curriculum has reached about 60,000 students. The development of a second- and third-grade curriculum, "Freddie's Fire Safety Friends" has been developed and piloted, and will be implemented during the fall of 1996. Groundwork is in place to expand the "Freddie" curriculum to reach fourth, fifth, and sixth grades by 1998, with the full series to be completed and into the state's school system by 2000.

### ***Public Fire Education Strategic Plan***

During fiscal year 1995-96, a task force was appointed to address the fire problem and to assist in outlining a master plan to combat the problem. Representatives from state fire service related associations and other well-known public fire educators gave input to the plan-of-action. This plan has been adopted and is being followed by staff of the Public Fire Education Section.

### ***South Carolina Fire Incident Reporting System***

State law requires that the division collect and analyze data on fire incidents. More than 200 fire departments submit information on the types of calls they respond to each month whether fire or non-fire incidents. These departments are strategically located throughout South Carolina, providing a more accurate overview of the fires experienced. The reporting system captures information about the various activities of the fire service in addition to collecting causal factors on fire situations. With fire-related incidents, deaths and injuries, information is gathered and used at the local, state and federal levels. This information assists in identifying problem areas and developing programs to directly impact the specific fire problems identified. Statistical information collected from this system also allows for monitoring and evaluating programs to determine their effectiveness in reducing the overall fire problem.

To perpetuate participation into the system, the Office of State Fire Marshal provides fire departments with computer software which captures needed information at no charge. The state's offer to purchase incident reporting computer software for fire departments has made the program accessible to local fire departments and has increased participation in the system.

## Inspection Services

### *Inspections for Codes Compliance*

Fire safety codes compliance was the primary responsibility mandated to the Office of State Fire Marshal at its inception. Today, inspections continue as one of the core functions. Listed below are some of the activities and inspections conducted by the deputy state fire marshals.

Assembly	55
Colleges/universities	172
Schools	2,563
Jails/prisons	430
Day care facilities	1,378
Foster care facilities	3,833
Group homes/CTH/SLP	1,128
Hotels	140
LP Gas site inspections	649
Factory/industrial	55
Mercantile	172
Storage	54
State-owned buildings	518
Offices	269
Fire equipment businesses	91
Sprinkler systems	52
Aboveground tanks	17
Fireworks displays inspections	54
Miscellaneous inspections	556
Assisted inspections	172
LP Gas plans reviewed	30
Licensed/renewed fireworks shooters	61

In addition to the inspections conducted by the deputies, 145 LP gas dealers/resellers were tested, 273 fire equipment personnel were tested, 122 fire equipment companies were licensed, 61 fireworks shooters were licensed or renewed, and 197 fireworks permits were issued.

## Engineering Services

During fiscal year 1995-96, the Engineering Services staff conducted 451 initial reviews and 300 follow-up reviews. The staff also held consultations with design professionals and assisted the deputy state fire marshals with field inspections.

# South Carolina Fire Academy

**T**he Fire Academy's mission is to develop an instructional delivery system through which a standardized statewide firefighter training curriculum is developed and implemented to train a maximum number of career, volunteer and industrial fire service personnel. Services are provided to accomplish the following activities: developing the skills necessary to command and control emergency operations involving fire, rescue and hazardous materials incidents; developing the managerial and leadership skills for all levels of fire service officers; and developing skills in fire department support functions to include public fire education, fire prevention inspections and investigations.

The Fire Academy has three separate main program areas: Resident Training, Regional Training, and Curriculum, Instructor Certification and Accreditation. There are an estimated 800 fire departments with 18,000 paid and volunteer firefighters and 4,500 fire brigade members in South Carolina. Last year, the Fire Academy trained about 14,000 public fire service personnel and 2,800 industrial fire brigade students in 1,400 courses statewide.

## ***Resident Training***

The new Fire Academy facility has been in operation for one year, and 3,750 students attended classes on-site during this time. The new facility is the largest state fire academy facility in the country and is located off Monticello Road. It features modern classrooms, a 60-room dormitory, cafeteria, drill tower, seven-acre lake for diver training, six-bay fire station, student processing center, two burn buildings, flammable liquid and gas training pads, and two FAA-funded aircraft training props, which are computer controlled. Classes are conducted seven days a week at the site, with weekend classes held primarily for volunteers.

## ***Curriculum, Accreditation and Certification***

The Fire Academy operates an instructor certification system for 500 to 600 part-time instructors, who teach Fire Academy courses in their fire departments. The certification system requires entry level and recertification requirements and consists of courses in instructor methodology as well as fire specific programs. The program is a key element in delivery of 85 percent of all Fire Academy off-campus training. Curriculum development efforts this past year have been devoted to upgrading the Fire Academy's firefighter curriculum courses.

The Fire Academy operates a Firefighter Certification program and is accredited by the International Fire Service Accreditation Congress, which is operated by Oklahoma State University. The Fire Academy's program consists of six separate certification areas with another 25 potential certification levels possible. Last year, the Fire Academy provided testing and certified about 300 firefighters.

## ***Regional Training***

The Fire Academy operates six regional offices (four staffed with full-time personnel), which deliver off-campus training statewide. Last year, the Fire Academy trained about 13,000 of the total 17,000 students through the Regional Office network. A training concept known as "train the trainer," where the Fire Academy trains the public fire department's training staff in educational methodology and specific fire courses, produced 80 percent of all students trained through regional offices. This system is efficient in that the Fire Academy issues certificates and maintains course records, but does not provide salary compensation or travel for instructor services. It does supervise and oversee the training for course quality and standard compliance.

## Division of Labor

**S**outh Carolina and federal laws are the source of various rights employers and employees have in their employer/employee relationships. LLR, Division of Labor, is one of several state and federal agencies which administers the laws assuring these rights. Occupational safety, payment of wages, child labor, migrant labor and mediation of disputes between unions and businesses all fall under this division. Elevators and Amusement Rides also are regulated to assure the public's safety.

### Office of Elevators and Amusement Rides

The office was created in 1986 to administer the South Carolina Elevator Code and the South Carolina Amusement Ride Safety Code. To ensure compliance with both, the licensing staff of 10 inspectors conducts inspections of new and existing elevator facilities and amusement rides.

#### *Elevator Safety Inspections*

Under Chapter 16 of Title 41 of the South Carolina Code of Laws, 1976 (as amended), the Office of Elevators and Amusement Rides administers regulations governing construction, alteration and installation of new elevators, escalators, dumbwaiters, handicapped lifts and moving walks. It also administers safety standards for existing facilities. All safety standards are national consensus standards as published by the American National Standards Institute. The office and the special inspectors it licenses inspect elevator facilities and issue operating certificates.

Since registration of elevators formally began in July 1986, 6,355 elevators have been registered in South Carolina. Those counties registering the highest number of elevators were Richland, Charleston, Greenville and Horry. A total of 6,212 inspections were conducted of elevator facilities, which included passenger and freight elevators, escalators, dumbwaiters, manlifts and handicapped lifts. Fees for inspections by the Office of Elevators and Amusement Rides are based on the contract price for new elevators under construction or on the number of floors served by an existing elevator. These fees amounted to about \$664,670 for inspections conducted during fiscal year 1995-96. Inspection fees charged by LLR and its special inspectors are set by regulation no more than once a year. Of the 6,212 inspections, 1,017 were performed by six special inspectors licensed by LLR.

Fines and re-inspection fees for elevators that did not comply with state laws totaled \$18,320 for this fiscal year.

## Elevator Inspection Activity

Fiscal Year 1995-96

Annual Inspections	4,362
Construction Turnover	198
Construction Temps	170
Re-inspections	354
Complaints	14
Accident	3
Alteration Inspections	107
Total conducted by Agency Inspectors	5,195
Special Inspector Inspections	1,017

The Office of Elevators and Amusement Rides issued 5,459 operating certificates for elevators determined to be in compliance with the S.C. Elevator Code and Regulations, 198 permits for construction of new elevator facilities, and 107 alteration permits for existing elevators. Thirty-five of these were handi-capped lifts.

### *Amusement Ride Safety Inspections*

Under Chapter 18 of Title 41 of the South Carolina Code of Laws 1976 (as amended), the Office of Elevators and Amusement Rides administers regulations to guard against injuries in the assembly, disassembly and use of amusement devices at carnivals, fairs and amusement parks. The office and the special inspectors it licenses inspect amusement devices and issue operating permits. Inspection fees are based on the type of device being inspected and are set by regulation no more than once a year.

During fiscal year 1995-96, the office issued 803 operating permits for amusement devices and collected \$67,587 in inspection fees. A total of 973 inspections were conducted on amusement devices. No inspections were conducted by special inspectors.

Fines and re-inspection fees for rides that did not comply with state laws totaled \$5,600 this year.

## Amusement Device Inspection Activity

Fiscal Year 1995-96

Initial Inspection	802
Accident	1
Re-inspection	168
Complaint	2



# Office of Labor Services

## Wages

It is the responsibility of the Office of Labor Services to enforce the South Carolina labor laws regarding payment of wages and child labor. In 1986, the office was given new responsibilities and authority by passage of Act No. 412, a complete revision of the Payment of Wages Law. As signed by the governor on April 21, 1986, this act requires employers to give written notice to employees of certain key provisions of their wages, to pay according to this notice, and to keep records of the payments. LLR is authorized to make inspections, issue warnings and citations, and assess civil penalties for violations of the act.

In 1989, the office was given new responsibilities by passage of Act No. 209, which is an amendment to state child labor laws as signed by the Governor on June 8, 1989. The amendment allows the agency to make findings concerning employers who engage in any oppressive child labor actions, to issue warnings and to assess civil penalties.

During fiscal year 1995-96, 1,678 businesses were investigated; 1,062 warnings were issued for violations of the record keeping requirements of 41-10-30; and 641 citations were issued for violations of 41-10-40, payment of wages, accounting for \$122, 310 in assessed penalties.

### Wage-Related Activity Fiscal Year 1995-96

Complaints received	1,678
Complaints investigated	1,678
Warnings issued	1,062
Citations issued	641
Violations cited	5,135
Average number of violations per investigation	3.06
Penalties assessed	122, 310
Compliance investigations (includes follow-ups and child labor)	311

### Child Labor Activity Fiscal Year 1995-96

Child Labor investigations	71
Warnings issued	58
Citations issued	3
Violations cited	77

## Office of Mediation for Organized Labor

**U**nder §41-17-10 of the South Carolina Code of Laws, 1976 (as amended), the LLR director is responsible for assisting in the settlement of labor disputes (except railroads and express companies doing business by rail). Through the Office of Mediation for Organized Labor, the director investigates industrial disputes, strikes, lockouts, and their causes, and tries to help the two sides reach agreement. When requested by both sides, mediators will act as arbitrators or appoint other arbitrators. In general, the Office of Mediation tries to eliminate the causes of misunderstanding and differences between unionized labor and management.

This office also administers the South Carolina Right to Work Law (S.C. Code of Laws, §41-7-10 through §41-7-90), which provides that the rights of workers shall not be denied or abridged based upon their affiliation or non-affiliation with a labor union. During fiscal year 1995-96, there were 17 Right to Work complaints.

During fiscal year 1995-96, the Office of Mediation monitored and/or participated in 238 contract negotiations involving 17,349 union employees. Two strikes were reported that involved 91 union workers and a total of 6,488 lost work hours.

### Mediation Activity Fiscal Year 1995-96

Contracts Negotiated	238
Union Workers Involved in Negotiations	17,349
Right to Work Cases	17
Strikes Reported	2
Workers involved in Strikes	91
Work Hours Lost Due to Strikes	6,488

# Migrant Farm Workers Commission

**T**he South Carolina Migrant Farm Workers Commission is charged with the responsibility of “examination and supervision of the migrant labor programs in South Carolina, the cooperation with state and federal agencies in improving existing programs and the coordination of programs to improve the conditions for migrant labor.”

The office operates as a clearinghouse by facilitating, coordinating and monitoring programs and services provided by public and private organizations.

The office works closely with all agencies addressing the laws pertaining to farmers and migrant and seasonal farm workers in South Carolina.

During fiscal year 1995-96, the office accomplished the following goals:

1. Actively participated in addressing problems and issues that affected migrant and seasonal farm workers. These cases involved housing, hiring practices, emergency assistance, terminations, immigration and referrals.
2. Continued to operate a toll-free telephone line with voice mail features in English and Spanish so that farm workers and individuals would have access to the office when it is closed or the staff is out of the office.
3. Distributed the South Carolina OSHA poster and the *Services for Migrant Workers* handbook in English and Spanish, which include emergency numbers to help farm workers and growers secure services when needed.
4. Recruited and compiled a pool of translators who were available to assist organizations, agencies and individuals that serve farm workers and their families.

# South Carolina Farm Workers Commission

**U**nder South Carolina Code of Laws 46-43-20, 1976 (as amended), it is the responsibility of the South Carolina Migrant Farm Workers Commission "to maintain a continuing consultative examination and supervision of the migrant labor program relating to living conditions; health, housing and public assistance and the coordination of federal, state and local programs relating thereto."

## **SOUTH CAROLINA MIGRANT FARM WORKERS COMMISSION** **Raymond Tumbleston, Chairman**

A.B. Jenkins, Vice Chairman

**Rev. Carroll Johnson**  
*Southeast/Williamsburg Baptist Association*  
*Hemingway, S.C.*

**Mary D. Ruschky**  
*S.C. Department of Labor, Licensing and Regulation*  
*Columbia, S.C.*

**Raymond Tumbleston**  
*Vegetable grower, Edisto Island, S.C.*

**Barbara Coleman**  
*Telamon Corp., Columbia, S.C.*

**Dorothy Snowden**  
*Tobacco grower, Hemingway, S.C.*

**D. Glen Kinard**  
*Watermelon grower, Allendale, S.C.*

**Thompson Smith**  
*S.C. Farm Bureau, Columbia, S.C.*

**Robert F. McCurry**  
*Peach grower, Vance, S.C.*

**Ben Gramling, II**  
*Apple grower, Gramling, S.C.*

**Lazetta Bruce**  
*Peach grower, Campobello, S.C.*

**O. Belton Sanders**  
*S.C. Employment Security Commission*  
*Wadmalaw Island, S.C.*

**A.B. Jenkins**  
*Sea Island Health Care Group*  
*Johns Island, S.C.*

**Jess Torres**  
*Department of Education*  
*Columbia, S.C.*

**Miriam Bickley**  
*Department of Social Services*  
*Columbia, S.C.*

**Rev. J.J. Diaz**  
*Iglesia Biblica Latino Americana, A.R.P.*  
*Columbia, S.C.*

# Office of Occupational Safety and Health

## Compliance Section

**T**he purpose of the state Occupational Safety and Health Act is to assure working men and women a safe and healthful working environment. To see that the objectives of the act are met, the Compliance Section staff of 15 compliance officers and 10 industrial hygienists conducts inspections to ensure compliance with safety standards and initiates enforcement procedures in cases of noncompliance.

During fiscal year 1995-96, the Compliance Section conducted 1,636 inspections. Safety inspections numbered 1,344 or 82.2 percent of this total. Health inspections numbered 292 or 17.8 percent of total inspections. These figures represent a 6 percent decrease in the total number of safety and health inspections compared to fiscal year 1994-95.

A further analysis of compliance activity reveals the following:

- 1,128 planned inspections
- 208 complaint inspections
- 79 accident and fatality investigations, which involved 32 fatalities
- 26 referral inspections
- 30 unprogrammed related inspections
- 108 follow-up inspections
- 49 programmed related inspections
- 8 monitoring inspections

A total of 3,072 violations were cited. The 1,241 other-than serious violations accounted for 40.4 percent; 1,811 serious violations for 59 percent; and 19 repeat violations accounted for 0.6 percent of the total violations. The adjusted penalties for these violations amounted to \$548,828. Penalties collected during the fiscal year totaled \$572,309 (this amount includes penalties collected on citations issued prior to fiscal year 1995-96.) There was one willful violation which accounted for less than 1 percent of total violations.

## OSHA Compliance Activity Fiscal Year 1995-96

Number of Inspections	1,636
Case Hours	20,082
Case hours per inspection	12.28
Number of Violations	
Serious	1,811
Repeat	19
Other	1,241
Willful	1
Number in Compliance	474
Percent in Compliance	29 percent
Employees Covered	108,176
Employees Covered Per Inspection	66
Percentages:	
Safety Inspections	82.2 percent
Planned inspections	68.9 percent
Accident and fatality investigations	4.8 percent
Complaints	12.7 percent
Referrals	1.6 percent
Follow-up inspections	6.6 percent
Unprogrammed related	1.8 percent
Programmed related	3.0 percent
Monitoring	0.5 percent
Health Inspections	17.8 percent

## Technical Support Section

### *Integrated Management Information System*

This section has the responsibility to compile, analyze and prepare accurate data as necessary concerning all safety and health inspections and activities which will assist in the management of the state OSH program. Data collected is used to plan, direct and evaluate the OSH program and to provide objective information on which to base policy decisions.

## Statistics Section

### *Annual Occupational Injuries and Illnesses Survey*

This annual survey of work-related injuries and illnesses by Standard Industrial Classification (SIC) is conducted by the Technical Support Section in cooperation with the Bureau of Labor Statistics, U.S. Department of Labor. It is closely connected with South Carolina's OSH plan.

By utilizing formal sampling techniques and estimating procedures, only a relatively small percentage of the total private sector employers are required to report under this system. Data collected in this survey is based on uniform record keeping requirements, which are mandatory under provisions of both the 1970 Occupational Safety and Health Act and corresponding state laws.

Data compiled from the survey includes items relating to hours worked, nature of business, and injury/illness rates for various industry groups. These rates allow for comparisons, both between years and among industry groups, in order to measure the effectiveness of the state OSH plan and to provide a management tool for safety engineers and persons interested in measurements of work injuries and illnesses.

A total of 76,964 occupational injuries and illnesses were reported in 1994, a 5.6 percent decrease from 1993. Of the recordable cases, about one out of every 15 workers in South Carolina experienced a job-related injury or illness. Of the 76,964 recordable cases, an estimated 32,566 cases involved lost workdays. About 95.6 percent of the total cases were occupational injuries and 4.4 percent were illnesses.

Questionnaires were mailed to 7,571 sample units. A relatively small portion of these were excluded because:

- The employer was no longer in operation
- They were included in a report for another location
- Duplicate survey forms were received for the same location
- Or the survey form was not mailable because of an inadequate address.

Original and follow-up mailings and telephone calls resulted in 6,097 usable questionnaires.

For further analysis and detailed data, please refer to the South Carolina Occupational Injuries and Illnesses Survey, which is published annually by the Technical Support Section, LLR.

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## **Standards Section**

Three public hearings were held during fiscal year 1995-96 to correct, amend, or revise six existing OSHA standards. No new standards were promulgated.

<b>Reason for telephone call</b>	<b>Number of calls</b>
Standards information	1,957
Technical information/advice	336
Standards interpretation	1,083
General information	190
Referrals	950
<b>TOTAL</b>	<b>4,516</b>

## **Legal Review Section**

During fiscal year 1995-96, 41 inspections resulted in protested citations. These protests were docketed with the South Carolina Occupational Health and Safety Review Board for hearing under the State Administrative Procedures Act. During this period, 62 cases were closed by agreement of the parties. Others were heard by the board.



# South Carolina Occupational Health and Safety Review Board

Under §41-15-600 through §41-15-640, South Carolina Code of Laws, 1976 (as amended), it is the responsibility of the South Carolina Occupational Health and Safety Review Board to hear and decide contested cases resulting from citations, penalties and time periods for abatement of citations issued by the director of LLR.

The board consists of six members, one from each Congressional district.

## Current Board Members

**Fred R. Rothaermel**  
*Congressional District #1*

**Roy R. Hemphill**  
*Congressional District #3*

**Elaine L. Craft**  
*Congressional District #5*

**Declan R. Klingenhagen**  
*Congressional District #2*

**M. Thomas Webber, Jr.**  
*Congressional District #4*

**Walter M. Riggs**  
*Congressional District #6*

### S.C. Occupational Health and Safety Review Board Activity Fiscal Year 1995-96

<u>Review Board Member</u>	<u>No. of Cases Assigned</u>
Thomas Webber, Jr.	6
Elaine Craft	7
Walter Riggs	6
Roy Hemphill	4
Declan Klingenhagen	11
Fred R. Rothaermel	7
<b>TOTAL CASES</b>	<b>41</b>

# Office of OSHA Voluntary Programs

**F**ormerly called the Division of Education, Training & Consultation, the Office of OSHA Voluntary Programs provides safety and health courtesy inspections, technical assistance, and safety and health training to aid the business community of South Carolina in voluntary compliance with all areas of the Occupational Safety and Health Act. Services are free to both public and private sector employers upon request. Training resource materials, brochures, booklets, audiovisual programs, seminars, lectures and extended courses have been developed to assist employers in providing their employees a safe and healthful work environment.

In October 1993, this office implemented an additional program called the Voluntary Protection Program (VPP) or Palmetto Star Program. This is a recognition program for manufacturing facilities that have exemplary safety and health records and have reduced injury and illness rates.

## Education and Training Activity Fiscal Year 1995-96

INDUSTRY TYPE	# OF TRAINING PROGRAMS
General Industry	77
Construction	49
Health	174
Local Government	100
State Government	91
TOTAL	491
Contact hours	19,542
# of Trainees	14,522

## Consultation Activity Fiscal Year 1995-96

Requests received	435
Total consultative visits	388
• Courtesy inspections	343
• Technical assistance	25
• Follow ups	20
Total: Establishments visited	388
Total: Serious violations	3,052
Total: All hazards corrected	4,797
Employees affected	18,897
Workplaces achieving voluntary compliance (eight referred to compliance)	380
Samples submitted	310
Laboratory analysis	1,646

# DIVISION OF PROFESSIONAL AND OCCUPATIONAL LICENSING

**T**he POL Division consists of 38 professional and occupational boards. The boards make decisions regarding licensure and discipline for its licensees. LLR is responsible for administration and services related to regulatory work done by the boards.

The Division of POL is divided into five offices: Building Codes and Related Services; Business and Related Services; Design, Environmental and Property Services; Medically Related Professions; and Health Related Professions.

## Building Codes and Related Services

### *Board for Barrier Free Design*

This board was created to establish and enforce standards necessary to eliminate architectural barriers to entry and use of public and government buildings by citizens with physical disabilities. Its purpose is to encourage and enable persons with disabilities to achieve maximum personal independence, become gainfully employed, use and enjoy all public and governmental buildings and facilities, and participate fully in all aspects of society. The board investigates complaints and provides discipline when necessary.

In fiscal year 1995-96, the board handled 463 inspections/investigations and 72 complaint cases.

Board members: Bill R. East, attorney, chairman; Paul R. Miller, architect, vice chairman; Willie D. Herbert, building official; Walter M. Patrick, Jr.; Charles Larosa, commissioner Voc. Rehab., ex-officio; Marion Dorsey, state engineer, ex-officio; and Adrienne R. Youmans, deputy director of LLR's Division of Professional and Occupational Licensing, ex-officio.

### *Building Codes Council*

The Building Codes Council, created in 1972, approves building and construction codes submitted for adoption by municipalities and counties. The S.C. Modular Board of Appeals was created to hear appeals from a licensing program for all modular construction manufacturing facilities in the state.

In 1995-96, the council reviewed and approved 272 models, issued 55 manufacturers licenses and 71 representatives licenses, and inspected 52 facilities. In addition, 1,408 labels were issued this past fiscal year.

Council members: Frank P. Hodge Jr., Building Officials Association of South Carolina, chairman; Arthur L. Cummings, S.C. Association of Counties, vice chairman; William Anderson, architect; Sally Paul, plumbing industry representative; Kenneth P. Padgett, gas industry representative; George D. Matthews, Building Trade Council representative; Caldwell R. Dial Jr., AGA-Carolinas branch; Lloyd D. Schumann, disabled representative; James L. Anderson, S.C. Association of Home Builders; and Marion Dorsey, S.C. chief eng./ex-officio.

## ***Contractors' Licensing Board***

This board's mission is to regulate the practice of general and mechanical contracting, burglar and fire alarm system businesses and fire protection sprinkler contractors within South Carolina. The board investigates complaints and disciplines contractors if necessary.

The board added 834 new licensees, making the total licenses issued 8,170. It handled 298 investigations and 168 complaint cases.

For fiscal year 1995-96, 1,134 applicants passed the examination and 563 failed.

Board members: Harry R. Kent, building contractor, chairman; Michael W. Grady, general public member, vice chairman; Gary W. Shelton, utility contractor; Russell C. Ashmore, highway contractor; W. Frank Walker, electrical; I. Carolyn Briscoe, general public member; Curtis Head, burglar/fire alarm contractor; and Lewis M. Caswell, HVAC contractor.

## ***Manufactured Housing Board***

This board enforces and coordinates federal and state laws governing the manufactured housing industry. The board licenses all manufacturers, their representatives, retail dealerships, and sales persons who sell, or offer for sale, manufactured housing in the state.

The board is the state administrative agency for the U.S. Department of Housing and Urban Development and is required to investigate and enforce manufactured housing construction and safety standards. Administrative staff receives and investigates consumer complaints against licensees.

In fiscal year 1995-96, the board added 733 new licensees, making the total licenses issued 2,770. It handled 1,159 inspections/investigations and 869 complaint cases.

For fiscal year 1995-96, 934 passed the board's examinations.

Board members: Ralph L. Camp Jr., vice president MFG Hsg Mfg, chairman; Randolph Hope Sr., vice chairman; H. Barry Anderson, fire chief; Clarence M. Strickland, Mfg home retail dealer; Carlton Simons, banker; Paul H. Laurent, salesperson; S. Carroll Suttles Jr., engineer; L. Richard Nixon; Lewis Lee, State Fire Marshal, ex-officio; and Jane W. Ballagh, public member.

## ***Residential Builders Commission***

The commission licenses all residential builders and registers all specialty contractors in residential construction in the state. Additionally, the commission receives and investigates complaints from home owners having problems with builders or specialty contractors and if necessary, sees that corrections are made.

The commission added 3,065 new licensees, making the total licenses issued 15,901. It handled 7,200 inspections and 1,200 complaint cases.

For fiscal year 1995-96, 587 applicants passed the examination and 523 failed.

Board members: Stewart Mungo, builder, chairman; Carl L. Bailey, specialty contractor; Levis L. Gilstrap; Gerald E. Moore, consumer; Michael C. Williams; Eugene Beckmen; and John C. Curl.

## ***Real Estate Appraisers Board***

The board establishes qualifications for appraiser certification, licensure and registration; administers examinations; investigates complaints; provides discipline; and regulates all other matters pertaining to the conduct and activities of real estate appraisers.

The board added 142 new licensees, making the total licenses issued 1,794. The board handled 34 complaint cases.

For fiscal year 1995-96, 48 applicants passed the examination and 11 failed.

Board members: John M. Little, real estate appraiser, chairman; Herbert R. Sass, real estate appraiser; James H. Robinson, real estate appraiser; Lamar Mason, real estate appraiser; Joseph C. Reynolds, mortgage lender; Evelyn F. Causey, public member; and Dan M. Salle', real estate broker.

# **Business and Related Services**

## ***Board of Accountancy***

The board's mission is to establish and maintain a high standard of integrity, dignity and quality in the profession of public accountancy in order to protect the welfare of the public.

To fulfill this mission, the board examines applicants and issues certificates and licenses to practice public accounting to certified public accountants, public accountants and accounting practitioners. The board may discipline certificate and license holders, prescribe rules and regulations, investigate complaints, and, in general, regulate the practice of accounting in the state.

The board added 250 new licensees, making the total licenses issued 4,199. The board reviewed 114 audit reports for compliance and handled 61 complaint cases.

For fiscal year 1995-96, 184 applicants passed the examination and 930 failed.

Board members: Austin M. Sheheen, Jr., CPA, chairman; Ray F. Faulkenberry, CPA, vice chairman; Charles W. Schulze, CPA, secretary/treasurer; Gale K. Bell, Accounting Practitioner; Randolph B. Epting; Robert T. Foster, PA; Donald L. Hunter, CPA; Anne H. Ross, CPA; and Earl Mitchell.

## ***Athletic Commission***

The commission directs, manages and controls boxing, wrestling, sparring events, exhibitions, contests and performances occurring in South Carolina. The commission stresses protecting the participants of athletic events. It investigates complaints and provides disciplinary actions whenever necessary. It also licenses trainers, announcers, managers, wrestlers, promoters, judges, matchmakers, timekeepers, referees, boxers, kick boxers and seconds.

For fiscal year 1995-96, the commission issued 397 licenses. The commission handled 88 inspections/investigations and six complaints cases.

Commission members: Robert H. Bishop, chairman; Luther A. Bradley, vice chairman; Franklin M. Stallings, secretary; Robert O. Williams; Paul H. Kennemore, Jr.; John R. Robertson.

## ***Auctioneers' Commission***

The commission is responsible for the administration and enforcement of the Auctioneers' Law, which establishes specific standards of conduct for practitioners to protect the public. Auctioneers, apprentice auctioneers, and auction firms are licensed and regulated.

The commission added 58 new licensees, making the total licenses issued 1,237. It handled 57 inspections and investigations and 47 complaint cases.

For fiscal year 1995-96, 53 applicants passed the examination and seven failed.

Commission members: Wendell Christopher, auctioneer, chairman; Archie D. Moody, auctioneer, vice chairman; Mae W. Buzhardt, secretary/treasurer, consumer; Ivan L. Broadwell, auctioneer; and Ronald D. Paxton, auctioneer.

## ***Board of Barber Examiners***

This board is responsible for licensing all barbers, barber shops, barber colleges and instructors. The board also is responsible for conducting examinations of barbers and instructors. Regular inspections are made in every barber shop and barber school in South Carolina. In addition, the board investigates complaints and provides discipline when necessary.

The board added 521 new licensees, making the total licenses issued 5,670. The board handled 2,494 inspections and investigations and 12 complaint cases.

For fiscal year 1995-96, 391 applicants passed the examination and 131 failed.

Board members: Edwin Barnes, barber, chairman; William D. Norris, barber, vice chairman; Ben Deluca, Jr., retired publisher; Napoleon Rogers, barber; Betty J. Thompson, barber.

## ***Board of Cosmetology***

The Board of Cosmetology licenses and regulates cosmetologists, cosmetology instructors and schools, estheticians and manicurists. The board investigates complaints and disciplines when appropriate.

The board added 2,616 new licensees, making the total licenses issued 25,112. The board handled 4,220 inspections/investigations and 267 complaint cases.

For fiscal year 1995-96, 6,843 applicants passed the examination and 720 failed.

Board Members: Alan Ray, cosmetologist, chairman; Linda Ham, consumer, vice chairman; Tommie Brant, consumer, parliamentarian; David E. Bagwell, cosmetologist; Ruth E. Settles, cosmetologist.

## ***Board of Registration for Foresters***

The board, established in May 1961, registers those who are qualified by education and experience to perform professional forestry work for private landowners, wood-using industries, state and federal agencies and other woodland owners. It receives and investigates complaints and follows through with appropriate actions against those who violate registration laws.

The board added 35 new licensees, making the total licenses issued 701. The board handled 14 inspections/investigations and two complaint cases.

For fiscal year 1995-96, 33 applicants passed the examination and eight failed.

Board members: Kenney P. Funderburke, forester, chairman; Dr. Larry R. Nelson, vice chairman; Charles F. Moore, II, forester, secretary; Don M. Handley, forester; Raymond L. Boozer; Dr. Robert R. Taylor, Jr.; Jerry D. Henderson, forester.

## ***Board of Funeral Service***

The Board of Funeral Service regulates and prescribes standards for funeral service, including embalmers and funeral directors. The board issues funeral home permits and licenses, provides regular inspections for funeral homes, and keeps records of apprentices. The board maintains a file of any public complaints concerning licensees and the disposition of complaints.

The board added 119 new licensees, making the total issued 1,652. The board handled 39 inspections/investigations and 19 complaint cases.

For fiscal year 1995-96, 119 applicants passed the examination and 14 failed.

Board members: Robert K. Kiser, embalmer-funeral director, president; Ezekiel H. Trezevant, embalmer-funeral director, vice president; Eddie Lee Kerr, embalmer-funeral director, secretary/treasurer; Rudolph E. Tompkins, embalmer-funeral director; Thomas J. (Joe) Wamer, embalmer-funeral director; John F. Dowling, embalmer-funeral director; D. W. Richardson, embalmer-funeral director; Charles Townes Howze, embalmer-funeral director.

## ***Board of Registration for Geologists***

This board administers and enforces South Carolina law governing the conduct of geologists. It evaluates qualifications, receives complaints, provides discipline and supervises examinations for licensure.

It added 62 new licensees, making the total licenses issued 616. The board handled one inspection/investigation and one complaint case.

For fiscal year 1995-96, 32 applicants passed the examination and 23 failed.

Board members: R. Craig Kennedy, geologist, chairman; Charles R. Sherman, geologist; John Garihan, geologist; Eric Moeller, geologist; Mark L. Wright, consumer.

## ***Pilotage Commission***

The commission issues licenses to qualified harbor pilots for the Ports of Charleston, Port Royal, Georgetown and Little River. Applicants must first successfully complete an apprenticeship program before receiving a license. The commission investigated one complaint.

The commission upgraded three licenses, making the total licenses issued 15.

For fiscal year 1995-96, three applicants took the examination.

Commission members: Randall Stoney, Jr., attorney, chairman; Richard Sammons; R. Andrew Benke; Benjamin Flowers, longshoreman; William L. Bethea, attorney, chairman Ports Authority; and Robert H. Lockwood, pilot.



# **Design, Environmental and Property Services**

## ***Board of Architectural Examiners***

The Board's role is to safeguard the health, safety and welfare of the citizens of South Carolina by registering and regulating architects to ensure competent practitioners in the profession. The board establishes standards of conduct, investigates complaints and engages in disciplinary action when necessary.

The board added 321 licensees, making the total licenses issued 2,848. It handled 47 investigations and 31 complaint cases.

For fiscal year 1995-96, 17 applicants passed the examination and 76 failed.

Board members: Louis P. Batson III, chairman; Stephen A. Usry, AIA, vice chairman; T. John Gilmore, AIA, secretary; James F. Barker, FAIA, professor/architecture; Marshall F. Clarke, FAIA; and W. Jefferson Leath, Esq., public member.

## ***Board of Registration for Professional Engineers and Land Surveyors***

The board, established in 1922, administers laws and regulations governing the practice of engineering and land surveying in the state. The board's primary goals are: to ensure that only properly qualified and competent engineers and land surveyors are licensed to practice; to promote technical competency and ethical standards consistent with the Rules of Professional Conduct applicable to engineers and land surveyors; and to appropriately discipline practitioners who are found guilty of violating laws governing engineering and surveying.

The board issued 1,190 new licenses/certifications, making the total licenses/certifications issued 27,211. It also added 205 new corporate registrations for a total of 1,363 registered corporations offering engineering and land surveying services. The board handled 225 investigations and 225 complaint cases.

For fiscal year 1995-96, 730 applicants passed the examination and 562 failed.

Board members: A. Cleveland Gillette, P.L.S., chairman; Jack C. McCormac, P.E. and P.L.S., vice chairman; Mitch Tibshirany, P.E., secretary; William T. Knowles, P.E.; L.G. "Skip" Lewis, Jr., P.E.; James T. McCarter, P.E.; William A. Whitworth, P.L.S.; and James Dominick, public member.

## ***Environmental Certification Board***

The purpose of this board is to license qualified individuals to protect the environment for the citizens of the state. These licensees include: water treatment plants, waste water treatment plants, pools and spas and well drillers. If necessary, the board will discipline individuals who do not comply with requirements.

The board added 1,510 new licensees, making the total licenses/certificates issued 11,750. The board handled 0 inspections and 10 investigations.

For fiscal year 1995-96, 2,008 applicants passed the examination and 1,053 failed.

Board members: Thomas P. Wright, representative, teaching institution, chairman; Elizabeth M. Royal, bio. wastewater operator, vice chairman; William P. Miles, water operator; John L. Locklair, water operator; A. Drennon Park, representative/S.C. Water Resources; George T. Tomlin, representative/S.C. Department of Health and Environmental Control; William L. Watkins; and Preston D. Wannamaker, P/C wastewater operator.

## ***Board of Pyrotechnic Safety***

This board assures compliance with state laws and regulations pertaining to the storage and sale of pyrotechnics (fireworks) within the state. Staff issues licenses to pyrotechnic wholesale distributors, wholesale storage facilities and jobbers of fireworks doing business in the state. It provides technical interpretations, performs inspections, receives complaints and investigates when necessary, and provides other assistance to local enforcement officials responsible for assuring that all facilities which store and offer for sale pyrotechnic products meet state law.

For fiscal year 1995-96, 35 licenses were issued. The board conducted 986 inspections and handled 29 complaint cases.

Board members: Bobby G. Fletcher, public member, chairman; Howard S. Gainer Jr., public member, vice chairman; Donnie B. Malphrus, retailer pyrotechnics; John B. Armstrong, public member; Vernon Tanner, fire service; and Kirby W. Walker, law enforcement.

## ***Real Estate Commission***

Created by law to regulate the real estate industry, the purpose of the South Carolina Real Estate Commission is to protect the public's interest in real estate transactions. In discharge of its responsibility, the South Carolina Real Estate Commission determines the qualifications for issuance and holding a license, ensures licensee compliance with license laws, and investigates complaints against licensees and disciplines those licensees determined to be in violation of the license law.

The commission added 3,703 new licensees, making the total licenses issued 29,846.

The commission handled 801 inspections of licensees' offices and completed 464 complaint investigations and 48 license application investigations.

For fiscal year 1995-96, 3,330 applicants passed the examination.

Board members: Manning E. Biggers; Frank A. Burgdorf, vice chairman; Betty V. Carter, secretary; Frank P. Hammond, chairman; Buccie Harley; Robert R. Heos; Charles L. Johnson; Gerald S. Tompkins; and Evelyn K. Young.

# **Health Related Professions**

## ***Board of Chiropractic Examiners***

The board was created to protect the health and safety of the public by establishing qualifications for entry into the profession and by disciplining those chiropractic practitioners who violate South Carolina laws governing their profession.

The board added 109 new licensees, making the total licenses issued 1,031. It investigated 20 complaint cases.

For fiscal year 1995-96, 80 applicants passed the examination and 89 failed.

Board members: Paul R. Johnson Jr., D.C., chairman; Henry W. Hulteen, D.C., vice chairman; Michael L. Coon, D.C.; Leon Sigler, D.C.; Lawrence F. Jones, general public member; William C. Decken, D.C.; Richard E. Plummer, D.C.; and Richard C. Mooneyham, D.C.

## ***Board of Examiners for Licensure of Professional Counselors, Associate Counselors, and Marital and Family Therapists***

The board maintains quality counseling services in South Carolina by licensed qualified professionals. The board provides examinations, and licenses counselors and marital and family therapists who have received appropriate education, experience and supervision, and who are competent in meeting the counseling needs of the people of South Carolina. The board investigates complaints and disciplines if necessary.

It has added 215 new licensees, making the total licensees available to serve the public, 1,576. The board handled 16 investigations, and seven complaint cases.

For fiscal year 1995-96, 141 applicants passed the examination, and 29 failed.

Board members: Chrys J. Harris, Ph.D., professional counselor, president; William Lloyd Birch, marital and family therapist, vice president; Gloria Busch Johnson, M.Ed., professional counselor, secretary-treasurer; Wilmer Dove, Ed.S., professional counselor; Ellenor Mahon, M.Ed., professional counselor.

## ***Board of Occupational Therapy***

This board examines and issues licenses to qualified occupational therapists and occupational therapy assistants. The board also investigates complaints involving therapists and disciplines practitioners when necessary.

The board added 241 new licensees, making the total licenses issued 861. No complaints were received.

For fiscal year 1995-96, 62 applicants passed the examination and five failed.

Board members: David V. Hamilton, occupational therapist, chairman; Elizabeth B. Reigart, occupational therapist, vice chairman; Wilma L. Kelley, public member, secretary; Jan R. Martin, occupational therapist; and Janine P. Turner, occupational therapy assistant.

## ***Board of Examiners in Opticianry***

The mission of the board is to administer, coordinate and enforce the provisions of the S.C. Opticianry Law. The board examines and licenses opticians in the state and administers examinations appropriate to the education and experience of the candidate to determine his or her qualifications to adequately serve the public as an optician. It also investigates complaints and disciplines opticians if necessary.

The board added 68 new licensees, making the total licenses issued 703. The board handled seven inspections/investigations and seven complaint cases.

For fiscal year 1995-96, 22 applicants passed the examination and 26 failed.

Board members: Ray A. Sansbury, optician, chairman; Daniel B. Gosnell, optician, vice chairman; Marvin E. Ard, optician, secretary; Lee G. Carter, optician; C. Milton Corley, Jr., optician; Charles F. Mabelitini, consumer; and Wendy C. Brawley, consumer.

## ***Board of Examiners in Optometry***

The board's purpose is to examine and license optometrists for the right to practice in the state. For that reason, it investigates any complaints against optometrists and disciplines them when necessary. The board controls the quality of vision care that is rendered to the public and administers examinations appropriate to the education and experience of the candidates to determine whether or not they are qualified to practice optometry. The board requires all optometrists to acquire continuing education credits to maintain their licenses and to keep abreast of the latest developments in the profession.

The board added 13 new licensees, making the total licenses issued 547. It handled 19 inspections/investigations and 19 complaint cases.

For fiscal year 1995-96, 23 applicants passed the examination and nine failed.

Board members: Timothy A. Stafford, optometrist, president; Howard W. Tucker, Jr., optometrist, vice president; Wayne M. Cannon, optometrist, secretary; William C. Oliver, optometrist; James M. Vaught, optometrist; Pauline N. DeBerry, consumer; Don C. Clark, consumer.

## ***Board of Physical Therapy Examiners***

The board administers, coordinates and enforces regulations relating to physical therapy in South Carolina. This involves the registration of all physical therapists and physical therapist assistants. The board evaluates qualifications of applicants and investigates persons engaged in the practice of physical therapy in order to protect the public from unauthorized and unqualified practitioners.

The board added 548 new licensees, making the total licenses issued 2,261. It handled 17 complaint cases.

For fiscal year 1995-96, 130 applicants passed the examination and six failed.

Board members: E. Dargan Ervin, Jr., physical therapist, president; James Ryan, Jr., physical therapist assistant, secretary-treasurer; Sue E. Bowersock, physical therapist; Serena R. Clark, M.D., public member; and Eric A. Schmidt, physical therapist.

### ***Board of Podiatry Examiners***

This board licenses practitioners in podiatric medicine who have completed at least one year of residency and passed both the state and national examination. It hears complaints that have been investigated and prepared by agency staff and renders decisions on discipline.

It added 10 new licensees, making the total licenses issued 102. It handled eight complaint cases.

Board members: Carla Gerstenberg, D.P.M., chairperson; Ralph E. Payne, D.P.M.; Richard D. Weber, D.P.M.; and Bruce H. Wellmon, D.P.M.

### ***Board of Examiners in Psychology***

The board regulates practitioners of psychology and accepts applications and holds exams for candidates to practice psychology in South Carolina. The board has adopted a code of ethics governing licensed psychologists. The board investigates complaints and provides discipline.

The board added 44 new licensees, making the total licenses issued 443. The board handled 23 complaint cases.

For fiscal year 1995-96, 44 applicants passed the examination and two failed.

Board members: Patrick M. O'Neil, clinical psychologist, chairman; Roger B. Bowersock, counseling psychologist, vice chairman; Avie Rainwater, Jr., clinical psychologists, treasurer; David E. Barrett, experimental psychologist; Connie Lee Best, clinical psychologists; Paul Doerring, counseling psychologist; Shirley Vickery, school psychologist.

### ***Board of Social Work Examiners***

This board reviews applicants' credentials and licenses social workers in the state. The board licenses four levels of social workers: temporary social workers; baccalaureate social workers; master social workers; and independent social workers. The board investigates complaints about social workers and disciplines them when necessary.

The board added 249 new licensees, making the total issued 3,844. It handled 16 complaint cases.

For fiscal year 1995-96, 147 applicants passed the examination and 36 failed.

Board members: Jane A. Anker, LISW, president; Yvonne C. Stewart, LBSW, vice president; Eralphia "Jimmy" Eckles, LBSW; Debra N. Ellenburg, LMSW; Ruth B. Herron, RN, public member; John R. Kennedy, LMSW; Karen P. Rembert, LMSW.

## ***Board of Speech-Language Pathology and Audiology***

This board is responsible for reviewing the credentials of applicants for licensure to practice audiology or speech-language pathology and for making the decision on eligibility. The board currently grants licensure at two levels: active, for those meeting all criteria; and provisional, for those serving a period of internship. It hears complaints that have been investigated and prepared by agency staff and renders decisions on discipline.

For fiscal year 1995-96, the board added 172 new licensees. Of that number, 22 were in audiology and 150 in speech-language pathology.

Board members: Martha Simpson McDade, M.A., CCC-SLP, chairperson; Virginia M. Corley, M.Aud., FAAA, vice chairperson; Eleanor Gray Smith, M.A., CCC-SLP; Lesley S. Kirby, M.S., FAAA; and Yvonne B. Williams, lay member.

## ***Board of Veterinary Medical Examiners***

The board aims to protect citizens by ensuring that only qualified and competent veterinary practitioners and animal health technicians operate in South Carolina. The board establishes requirements and enforces those requirements by investigating complaints and disciplining when necessary.

The board added 38 new licensees, making the total licenses issued 1,066. It investigated 36 complaint cases and inspected 298 veterinary facilities.

For fiscal year 1995-96, 73 applicants passed the examination and three failed.

Board members: Donald T. Gamble, D.V.M., chairman; H. Earle McDaniel Jr., D.V.M., vice chairman; James H. Southard, D.V.M., secretary; Albert L. Glenn, D.V.M.; Susan T. Glenn, D.V.M.; Carol M. Springs, D.V.M.; Larry A. Suber, D.V.M. and Barbara M. Walsh, public member.

# Medically Related Professions

## *Board of Dentistry*

The Board of Dentistry licenses and annually registers dentists, dental specialists, dental hygienists and dental laboratory technicians in the state. The board enforces S.C. laws regulating the practice of dentistry. It investigates complaints and disciplines when appropriate.

The board added 165 new licensees, making the total number of licenses issued 3,762. The board conducted 72 inspections/investigations and 76 complaint cases.

For fiscal year 1995-96, 165 applicants passed examinations and 13 failed.

Board Members: Ray A. Langston, dentist, president; Benjamin T. Kays, dentist, vice president; John C. Cosby, Jr., dentist, secretary; Louis E. Shepard, Jr., dentist; Gordon W. Bray, Jr., dentist; J. Kenneth Nickles, dentist; W. Ronald Barrett, dentist; Patricia M. Sullivan, dental hygienist, and Roxanne D. Wilson, public member.

## *Board of Long Term Health Care Administrators*

It is the duty of the board to develop and enforce standards for individuals who work as nursing home and community residential care facility administrators. The board licenses qualified individuals, investigates complaints and takes disciplinary action where required.

The board added 121 new licensees, making the total licenses issued 771. The board handled 39 complaint cases.

For fiscal year 1995-96, 121 passed the examination and 54 failed.

Board members: Walter Hickman, nursing home administrator, chairman; William H. Bundy, nursing home administrator, vice chairman; Betty Tolbert, residential care administrator, secretary; Ethel Hughes, nursing home proprietor; C. William Trawick, residential care administrator; Pat Tanner, consumer nursing home; and John McNeely, ex-officio.

## *Board of Medical Examiners*

The primary mission of the board is to protect the public and fulfill two major functions: licensing physicians, physician assistants and respiratory care practitioners; and investigating and disciplining licensees found to be engaged in misconduct as defined in the Medical Practice Act. This includes illegal, unethical or incompetent conduct.

The board added 933 new licensees, making the total licenses issued 10,629. The board handled 284 complaint cases.

For fiscal year 1995-96, 215 applicants passed examinations and 10 failed.

Board members: Ben C. Pendarvis, Jr., M.D., president; Hartwell Z. Hildebrand, M.D., vice president; James D. Whitehead, Jr., secretary; Louis E. Costa, M.D., Elizabeth S. Christensen, lay member; James R. Edinger, D.O.; James G. Wallace, M.D.; Robert S. Clarke, Jr., M.D.; Mark G. Newman, M.D.; and Vera C. Hyman, M.D.

## ***Board of Nursing***

The purpose of the Board of Nursing is to assure the safe and competent practice of nursing in South Carolina. The board licenses qualified individuals as registered nurses or licensed practical nurses. It also registers advanced practice nurses to include certified registered nurse anesthetists, certified nurse midwives, nurse practitioners, and clinical nurse specialists practicing in the extended role. Complaints against licensees are investigated and disciplinary action taken when necessary.

The board added 4,164 new licensees, making the total licenses issued 47,411. The board handled 295 complaints against licensees.

For fiscal year 1995-96, 1,837 applicants passed the examination and 226 failed.

Board members: Kristi H. Williams, R.N., CRNA president; Raynette H. McKinney, R.N., secretary; Barbara W. Winn, L.P.N.; Tammy Dodgens-Sorrells, L.P.N.; Kathleen M. Crispin, R.N.; and Melodie A. Olson, R.N.

## ***Board of Pharmacy***

The Board of Pharmacy protects the health and safety of the public by enforcing laws and regulations governing pharmacies; performing routine inspections of drug outlets and pharmacies; issuing licenses to pharmacists and permits to drug outlets and pharmacies; administering the national pharmacy examinations and the state law examination to qualified graduates of accredited pharmacy colleges; administering the reciprocity process to qualified pharmacists from other states; receiving and investigating complaints; holding administrative hearings against pharmacists and permit holders; and developing laws and regulations necessary in regulating the practice of pharmacy.

The board issued 284 new licenses and 351 new permits, making the total licenses issued 4,977 and the total number of permits issued 1,522. The board handled 538 inspections/investigations and 125 complaint cases.

For fiscal year 1995-96, 210 applicants passed the examination and 15 failed.

Board members: Robert L. Spires, chairman; Carol V. Bateman, vice chairman; Louis H. Hutto, Jr.; R. T. Moss, Jr.; Ronnie W. Cromer; Charles C. Turner; Hugh F. Mobley, at-large pharmacist; and Charles L. Appleby, Jr., lay member.



# OFFICE OF PUBLIC INFORMATION

The function of the Office of Public Information is to keep the public aware of LLR's programs, activities and services. In addition to answering questions from the media and the general public on every aspect of the agency, this office publishes and distributes the agency's posters, booklets, newsletters and other publications.

In response to requests from workers, licensees, members of the fire service, the public and businesses, the Office of Public Information provides copies of various agency publications. The office also fulfills the department's obligations under the state's Freedom of Information Act by providing information from the agency's files in response to requests from the news media, businesses, workers and other interested persons. The Office of Public Information also is responsible for publication of the agency's Annual Report, administration of the Safety Achievement Awards Program, and management of the S.C. OSHA Subscription Service.

## **POSTERS**

### **Division of Labor**

SCLLR-1	Labor Law Abstract (required of all employers)
SCLLR-5 SH-94	Occupational Safety and Health (required of all employers)
SCLLR-5	Occupational Safety and Health (Spanish version)

### **S.C. Workers' Compensation Commission**

NOTICE	"Workers' Compensation Works for You" (must be posted by all employers subject to Workers' Compensation laws)
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### **S.C. Employment Security Commission**

UCI-104	"Workers Pay No Part of the Cost for Job Insurance" (required of all employers)
UCI-105	"If You Become Unemployed" (required of all employers)

## **FORMS**

OSHA Form 200 - Log and Summary of Occupational Injuries and Illnesses  
OSHA Form 101 - Supplementary Record of Occupational Injuries and Illnesses  
Elevator Registration Forms

## **PUBLICATIONS**

S.C. Department of Labor, Licensing and Regulation Annual Report  
S.C. Department of Labor, Licensing and Regulation Directory of Programs  
S.C. Labor Laws  
S.C. Occupational Safety and Health Standards Additions for General Industry and Construction  
Occupational Safety and Health Program Directives  
S.C. OSHA Information Memoranda  
S.C. OSHAGRAM  
S.C. Occupational Injury and Illness Survey  
S.C. Elevator and Amusement Ride Codes and Regulations  
Occupational Health and Safety Review Board Rules of Procedure  
Employee/Employer Rights and Responsibilities Under South Carolina and Federal Law  
Understanding S.C. OSHA

Additional publications from the Division of Fire and Life Safety and the Division of Professional and Occupational Licensing, including brochures and newsletters, are available. For more information, call (803) 734-9612.

**S.C. DEPARTMENT OF LABOR  
LICENSING AND REGULATION  
1995-96 FISCAL YEAR EXPENDITURES**

	<b>Fiscal Year 1994-95</b>	<b>Fiscal Year 1995-96</b>
Division of Labor	4,330,862	4,385,195
Division of Fire and Life Safety	3,462,539	4,157,379
Division of Professional and Occupational Licensing	9,346,005	9,752,276
Division of Administration	2,220,135	2,672,318
<u>Employer Contributions</u>	<u>2,766,926</u>	<u>3,177,427</u>
Total Labor, Licensing and Regulation	22,126,467	24,144,595

Total Number of Documents Printed	1100
Cost per Unit	\$1.363
Total Printing Cost	\$1499.00