CHAPTER 5

Employment First Initiative Act

**SECTION 41‑5‑110.** Short title.

This chapter must be known and may be cited as the "Employment First Initiative Act".

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.

**SECTION 41‑5‑120.** Definitions.

As used in this chapter:

(1) "Competitive integrated employment" means work in the competitive labor market that is:

(a) performed on a full‑time or part‑time basis in an integrated setting; and

(b) for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

(2) "Integrated setting" means, with respect to an employment outcome, a setting typically found in the community in which employed individuals with disabilities interact with individuals without disabilities, other than individuals who are providing services to employees with disabilities, to the same extent that individuals without disabilities in comparable positions interact with other people.

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.

**SECTION 41‑5‑130.** Policies encouraging competitive integrated employment for individuals with disabilities.

All state agencies and political subdivisions of this State are encouraged to consider adopting a policy that encourages competitive integrated employment for individuals with disabilities.

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.

**SECTION 41‑5‑140.** Coordination of efforts to support competitive and integrated employment of individuals with disabilities; sharing data; rules and regulations.

All state agencies are encouraged to:

(1) coordinate efforts and collaborate within and among themselves to ensure that state programs, policies, procedures, and funding support the competitive and integrated employment of individuals with disabilities;

(2) share data and information across systems in order to track progress toward full implementation of this chapter, whenever feasible, and in accordance with all applicable state and federal confidentiality laws; and

(3) adopt rules and promulgate regulations to implement the provisions of this chapter.

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.

**SECTION 41‑5‑150.** South Carolina Employment First Oversight Commission.

(A) There is hereby established the "South Carolina Employment First Oversight Commission" consisting of nine members appointed by the Governor, five of whom must have a disability or have substantial knowledge of disability issues, and four of whom must be from the business community.

(B) The Governor shall designate one member to convene and organize the first meeting of the commission. During this meeting, the commission shall elect a chairperson and a vice chairperson from among its members.

(C) All actions of the commission must be taken by a majority of the members of the commission present and voting.

(D) Members of the commission may not receive compensation, mileage, subsistence, or per diem for their service to the commission.

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.

**SECTION 41‑5‑160.** Duties and obligations of commission.

Within six months after the first meeting required in Section 41‑5‑150(B), the commission shall establish evidence‑based measurable goals and objectives to encourage implementation of this chapter. The commission shall track the measurable progress of state agencies in implementing this chapter. All state agencies are encouraged to assist the commission in carrying out its duties by fully cooperating with each other and the commission, and by providing data and information in accordance with all applicable state and federal confidentiality laws.

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.

**SECTION 41‑5‑170.** Annual report.

The commission annually shall, before January first, issue a report to the Governor and members of the General Assembly which details progress toward the goals and objectives of the commission and progress toward the full implementation of this chapter. The report also shall identify barriers to achieving the outcomes and effective strategies and policies that can help realize the employment first initiative. All state agencies are encouraged to cooperate with the commission on the creation and dissemination of the annual report.

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.

**SECTION 41‑5‑180.** Guidance and expertise of stakeholders.

The commission may seek the guidance and expertise of all stakeholders, including individuals with disabilities, organizations that advocate on behalf of individuals with disabilities, providers of services to individuals with disabilities, local government, and business associations.

HISTORY: 2022 Act No. 209 (S.533), Section 4.A, eff May 23, 2022.