

Exhibit 1



STATE OF SOUTH CAROLINA  
HUMAN AFFAIRS COMMISSION



Raymond Buxton, II  
Commissioner

1026 Sumter Street, Suite 101  
Columbia, South Carolina 29201  
(803) 737-7800 (803) 253-4191 Fax

www.schac.sc.gov  
(800) 521-0725 In-State

2/22/2021

Teresa McWilliams  
105 Arbogate Circle  
Columbia SC 29212

Re: Teresa McWilliams vs SC DHEC  
SHAC # 1-21-82D,A,RET / EEOC #: 14C-2020-01110

RECEIVED  
OCT 28 2024  
SC Court of Appeals

Dear Ms. McWilliams

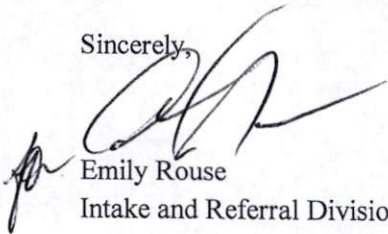
In accordance with our procedures, the South Carolina Human Affairs Commission (SHAC) has transferred the above referenced complaint to the U.S. Equal Employment Opportunity Commission (EEOC) for continued processing. SHAC will take no further action concerning this complaint. All future contact regarding this complaint should be directed to the EEOC at the following address:

Ms. Patricia B. Fuller, Local Director  
EEOC Greenville Local Office  
301 N. Main Street, Landmark Building, Suite 1402  
Greenville, SC 29601  
(864) 241-4400 or (866) 408-8075

Please use the EEOC number listed at the top of this letter whenever you contact the EEOC about this charge. If your address or telephone number changes, please send notification in writing to the address above.

You should be aware the scope of each investigation is determined by the assigned EEOC investigator. If the laws enforced by the EEOC do not apply to your claims, if your charge is untimely, or if it is decided it is unlikely it will be determined the law was violated, the investigation of your charge will be closed and you will be notified and provided with a Notice of Right to Sue.

Sincerely,

  
Emily Rouse  
Intake and Referral Division

Cc: Raymond Buxton, II, Commissioner  
Patricia B. Fuller, EEOC Local Director

Exhibit 2

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

RECEIVED

To: Teresa McWilliams  
105 Arbogate Circle  
Columbia, SC 29212

From: Greenville Local Office  
301 North Main St  
Suite 1402  
Greenville, SC 29601

OCT 28 2024  
SC Court of Appeals

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.	EEOC Representative	Telephone No.
14C-2020-01110	Kimberly L. Ambersley, Investigator	(864) 241-4408

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

- NOTICE OF SUIT RIGHTS -  
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

On behalf of the Commission  
Kimberly  
Ambersley  
Ambersley  
Date: 2021.09.30 07:52:35  
-0400

Enclosures(s)

Patricia B. Fuller,  
Local Office Director

(Date Issued)

cc: Georgette Lee-Jackson  
Employee Relations Manager  
SC DEPARTMENT OF HEALTH AND  
ENVIRONMENTAL CONTROL  
2600 BULL ST  
Columbia, SC 29201

Exhibit 3



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Greenville Local Office**

Landmark Building  
301 North Main Street, Suite 1402  
Greenville, SC 29601  
Intake Information Group: (800) 669-4000  
Intake Information Group TTY: (800) 669-6820  
Direct Dial: (864) 565-0340  
FAX (864) 241-4416  
Website: [www.eeoc.gov](http://www.eeoc.gov)

**DISMISSAL AND NOTICE OF RIGHTS ENCLOSED**

RE: EEOC Charge No.: 14C-2020-01110  
Charging Party: Ms. Teresa McWilliams  
Respondent: SC DEPARTMENT OF HEALTH AND  
ENVIRONMENT CONTROL

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SC Court of Appeals

Dear Ms. McWilliams:

The United States Equal Employment Opportunity Commission (EEOC) issued the enclosed Dismissal and Notice of Rights (Notice) in the above-referenced charge on the date reflected thereon. Specifically, on that date, EEOC sent you an email notification that EEOC had made a decision regarding the above-referenced charge and advised you to download a copy of the decision document from the Portal. Our records indicate you have not downloaded the Notice from the Portal. For your convenience, a copy of the Notice is enclosed with this letter.

Please note that if the Charging Party wants to pursue this matter further in court, Charging Party must file a lawsuit within 90 days of the date they receive the Notice. The 90-day period for filing a private lawsuit cannot be waived, extended, or restored by the EEOC.

I hope this information is helpful. If you have questions, please contact Oswaldo Vizcaino by telephone at 864-565-0354 or email at [oswaldo.vizcaino@eeoc.gov](mailto:oswaldo.vizcaino@eeoc.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia B. Fuller".

Patricia B. Fuller/Director

October 7, 2021  
Date Mailed

Enclosure

Exhibit 4  
P. 1 of 2

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

IN THE COURT OF COMMON PLEAS  
FOR THE FIFTH JUDICIAL CIRCUIT  
CIVIL ACTION NO. 2022-CP-40-00027

Teresa McWilliams )  
Plaintiff )

MEMORANDUM: ANALYSIS OF  
FREEDOM OF INFORMATION  
RESPONSE FROM DHEC

Vs )

South Carolina Department of Health )  
and Environmental Control; )  
DOES I through X, inclusive: and )  
ROE Business Entities I through X, )  
inclusive )

Defendant )

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JEANETTE W. McBRIDE  
C.C.P., G.S., & F.C.

2024 JAN -2 PM 1:07

RICHLAND COUNTY  
FILED

Analysis of FOIA Information provided by DHEC on February 17, 2023.

Based on the Freedom of Information Request #870955, SC DHEC Kristen Keller's response dated February 17, 2023, revealed the following age and racial discrimination in the current Warning of Substandard Performance (WOSP) procedure, revealing that the WOSP is worthless and only used to hide blatant discrimination:

1. In 3 years' time (2018-2020), a DHEC employee over the age of 40 was terminated 13 times more often than a younger employee via the WOSP.
2. During the years 2019-2020, the number of employees retained from the termination process was less than 3%. That is a sad statistic for a process that is supposed to be a warning to strengthen performance and avoid termination.
3. DHEC can provide 0 (zero) Work Improvement Plans (WIPs) offered to those employees, even though I myself was told in an initial meeting by DHEC HR representative Arlene Posey that I would be offered one and it would be clear and easy to achieve.
4. During those same 2 years, a female was almost 3 times as likely to be terminated as a male—for every one male terminated, 3 females were terminated.

Exhibit 4

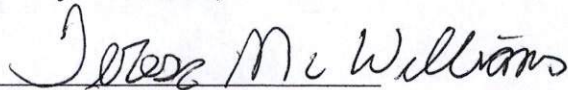
P. 2 of 2

5. During those same 2 years, a non-white employee was 25% more likely to be terminated than a white employee—adjusted for population difference, that percentage rises to 50%.

If the above were not monstrous enough, those employees were denied unemployment benefits and were blacklisted from employment DURING THE PANDEMIC YEAR.

During the pandemic year, DHEC terminations-for-cause increased more than 50%, suggesting that DHEC, during a year of budget restraints (when expenditures were frozen for travel, purchasing, and hiring), used termination-for-cause to separate employees that should have been separated in a kinder manner.

Respectfully Submitted,

By: 

Teresa McWilliams

105 Arborgate Circle

Columbia, SC 29212

Telephone: (803) 530-4738

teresamcwilliams@hotmail.com

January 2, 2024  
Columbia, SC

Exhibit 5

**Teresa McWilliams**

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**From:** teresa mcwilliams <teresamcwilliams@hotmail.com>  
**Sent:** Wednesday, August 2, 2023 2:20 AM  
**To:** Teresa McWilliams  
**Subject:** Fw: FOI Request # 870955  
**Attachments:** 870955-Request.pdf

RECEIVED

OCT 28 2024

SC Court of Appeals

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**From:** Keller, Kristen M. <KellerKM@dhec.sc.gov>  
**Sent:** Friday, February 17, 2023 9:02 AM  
**To:** teresamcwilliams@hotmail.com <teresamcwilliams@hotmail.com>  
**Subject:** FOI Request # 870955

Teresa,

Please see the below information requested for your attached request.

1. **Number of Terminations-** DHEC began tracking disciplinary actions by calendar year in 2019. In 2019, there were 27 and in 2020, there were 41 terminations.
2. **Terminations by Race-** In 2019, there were 11 Black females, 7 White females, 3 Black males and 6 White males. In 2020, there were 14 Black females, 2 Hispanic or Latino females, 1 female Native Hawaiian or Pac. Isl. 14 White females, 7 Black males and 3 White males.
3. **The number of WOSP by race, gender and age-** In 2018, 2 Black females over 40. In 2019, 4 Black females over 40, 3 White females over 40, 1 Hispanic male over 40. 1 White male under 40. In 2020, 2 White females over 40 and 1 black male over 40.
4. The agency doesn't track the number of **Work Improvement Plans (WIP)** issued to staff.
5. The agency can't provide a copy of **WIP's** because this information is not tracked or placed in employee's official personnel files.
6. **Regarding WOSP's**, during 2019 and 2020, 2 individuals remained employed after being on a WOSP.

Let me know if you need anything else. This request is now considered closed.

Happy Friday!

Kindest regards,  
Kristen Keller, Assistant Director  
Freedom of Information Office  
S.C. Dept. of Health & Environmental Control  
Office: (803)898-3796

Connect: [https://link.edgepilot.com/s/305e837b/emnwqK\\_fk\\_9a5suFLomg?u=http://www.scdhec.gov/](https://link.edgepilot.com/s/305e837b/emnwqK_fk_9a5suFLomg?u=http://www.scdhec.gov/) Facebook Twitter



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Exhibit 6  
p 1 of 2

**Teresa McWilliams**

**From:** teresa mcwilliams <teresamcwilliams@hotmail.com>  
**Sent:** Sunday, October 27, 2024 9:37 PM  
**To:** Teresa McWilliams  
**Subject:** duff received eeoc notice Fw: Memorandum case 2022CP4000027 for Hearing Nov 30 2022

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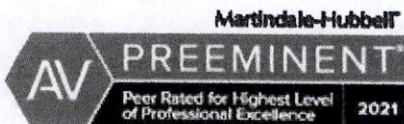
OCT 28 2024

SC Court of Appeals

**From:** Dave Duff <dduff@dfi-lawfirm.com>  
**Sent:** Tuesday, November 29, 2022 1:08 PM  
**To:** teresa mcwilliams <teresamcwilliams@hotmail.com>  
**Cc:** Meredith Seibert <mseibert@dfi-lawfirm.com>  
**Subject:** RE: Memorandum case 2022CP4000027 for Hearing Nov 30 2022

Received, thank you.

David T. Duff  
Certified Specialist in Employment  
& Labor Law  
Duff Freeman Lyon  
P.O. Box 1486  
Columbia, SC 29202  
Ph. (803) 790-0603  
Cell (803) 240-8295  
Firm Website <https://link.edgepilot.com/s/1a20ec3d/19PF8J2nE0qVtIEb7b0F8Q?u=http://www.dfi-lawfirm.com/>



**DUFF FREEMAN LYON**  
ATTORNEYS AND COUNSELORS AT LAW

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**From:** teresa mcwilliams <teresamcwilliams@hotmail.com>  
**Sent:** Tuesday, November 29, 2022 12:47 PM  
**To:** Dave Duff <dduff@dfi-lawfirm.com>  
**Subject:** Fw: Memorandum case 2022CP4000027 for Hearing Nov 30 2022



Exhibit 7

Page from Plaintiff's ~~FILE~~ SC DH/E/C

Personnel File

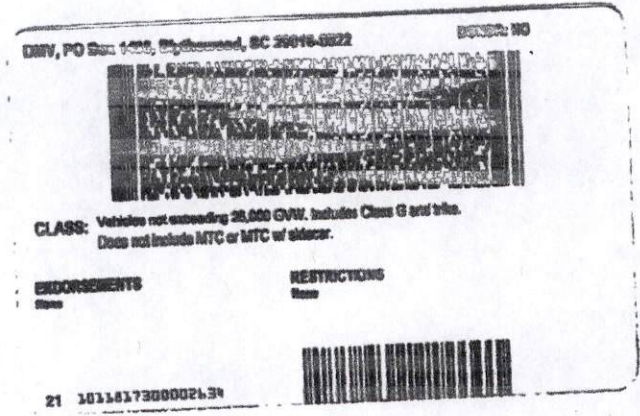
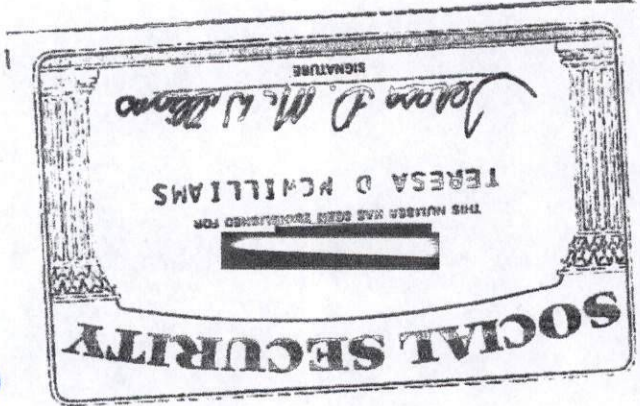
Obtained v.a

FOIA Request

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OCT 28 2024

SC Court of Appeals



South Carolina <sup>SC USA</sup> DRIVER'S LICENSE

NOT FOR FEDERAL IDENTIFICATION



40 DL#: [REDACTED]  
 1 MCWILLIAMS  
 2 TERESA D  
 3 105 ARBOGATE CIR  
 COLUMBIA SC 29212-4231

3 DOB: [REDACTED]  
 40 Issued: [REDACTED]  
 40 Expires: [REDACTED]

15 Sex: F      16 Hgt: 5'-05"  
 17 Wgt: 150 lb      18 Eyes: BRO  
 9 Class: D      9\*\* End: None  
 17 Restriction: None



5 DO 4000610302251611976

Henry McMaster Governor