

**STATE OF SOUTH CAROLINA  
ADMINISTRATIVE LAW COURT**

William Sellars, #125441, )  
 )  
Appellant, )  
 )  
v. )  
 )  
South Carolina Department of Corrections, )  
 )  
Respondent. )

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Docket No. 25-ALJ-04-0174-AP

**FINAL ORDER  
RECEIVED**

**OCT 22 2025**

**SC Court of Appeals**

This matter is before the South Carolina Administrative Law Court (ALC or court) pursuant to the Notice of Appeal filed on April 10, 2025 by William Sellars (Appellant), an inmate in the custody of the South Carolina Department of Corrections (Respondent or Department). The Appellant challenges the Department's determination related to the Appellant's claim for prevailing wages for his work in Prison Industries from June 2011 through May 2024. Specifically, the Appellant asserts that the \$164,937.59 in gross backpay the Department paid him does not reflect the appropriate prevailing wage backpay he is owed and that the Department's application of deductions is inaccurate.

On April 22, 2025, this case was assigned to the Honorable Crystal M. Rookard. June 25, 2025, the Appellant filed his brief with the court. On July 1, 2025, the Department filed the Record on Appeal (ROA). On July 24, 2025, this appeal was reassigned to the undersigned. On August 12, 2025, the Department filed a Motion to Supplement the Record and Respondent's Brief, requesting to supplement the ROA with the Appellant's PI Accounts Summary Screens, PI Detail Account Inquiry Screens, E.H. Cooper Accounts Summary Screens, and E.H. Cooper Display Record Screens.

**STANDARD OF REVIEW**

This court's jurisdiction to hear this matter is derived entirely from the decision of the South Carolina Supreme Court in *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000). Therefore, the court's appellate jurisdiction in inmate appeals is limited to cases involving denial of state created liberty interests typically involving: (1) cases in which an inmate contends that prison officials have erroneously calculated his sentence, sentence-related credits, or custody status; and (2) cases in which an inmate has received punishment in a major disciplinary hearing as a result



of a serious rule violation. *Id.* Later, the South Carolina Supreme Court found that the state's statutory mandate that inmates be paid the prevailing wage made the receipt of the prevailing wage a state created liberty or property interest. *Wicker v. S.C. Department of Corrections*, 360 S.C. 421, 423–24, 602 S.E.2d 56, 57 (2004). (“We find that where, as here, the state has created a statutory right to the payment of a prevailing wage, it cannot thereafter deny that right without affording due process of law.”).

When reviewing the Department's decisions in inmate grievance matters, the court sits in an appellate capacity. *Al-Shabazz*, at 756. Consequently, the review in these inmate grievance cases is limited to the Record presented. Additionally, the court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on questions of fact but may modify or reverse the decision of the agency when substantial rights of the appellant have been prejudiced. S.C. Code Ann. § 1-23-380(5). Substantial rights of an appellant are prejudiced when the agency's decision, including the agency's findings, inferences, and conclusions, are in violation of constitutional or statutory provisions; in excess of the statutory authority of the agency; made upon unlawful procedure; affected by other error of law; clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or arbitrary or capricious or characterized by abuse of discretion or a clearly unwarranted exercise of discretion. *Id.*

#### DISCUSSION

The Appellant alleges that the Department's calculation of \$164,937.59 in gross back pay due to him is in error because his prison industries work history supports his assertion that the Department owes him \$53,122.00 for the hours of labor performed at Perry Correctional Institution from July 16, 2001 through December 16, 2004 and \$291,095.21 for the hours of labor performed at Tyger River Correctional Institution from October 30, 2015 to the present date. In total, the Appellant alleges the Department owes him \$344,217.00 in gross backpay.

The Department avers that it has correctly calculated the gross backpay due to the Appellant for the labor he performed while in the PIECP at Perry and Tyger River Correctional Institutions. Any labor performed at any other time was work not subject to the prevailing wage statute or was after the prevailing wage statute had been amended. Accordingly, the Department provided the gross back pay amount of \$164,937.59 to the Appellant with two (2) gross pay deposits of \$82,678.74 into the Appellant's account, before taxes. The Department argues that because subsection 24-3-430(D) of the South Carolina Code was amended effective May 21, 2024

to provide that “[n]o inmate participating in the program may may earn less than an hourly rate equal to the federal minimum wage for work of similar nature in the private sector,” no additional payment is due for time the Appellant worked after that date. Consequently, the Department contends that its calculations are correct and that it has appropriately compensated the Appellant. The Departments asks the court to affirm its final agency decision.

The court finds that the Department’s calculations are supported by substantial evidence on the record. Therefore, based on the foregoing,

**IT IS HEREBY ORDERED** that the Department’s Motion to Supplement the Record is **GRANTED** and the Department’s decision is **AFFIRMED**.

**AND IT IS SO ORDERED.**



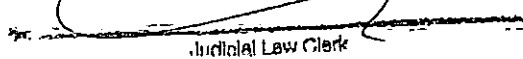
S. Phillip Lenski  
Administrative Law Judge

September 25, 2025  
Columbia, South Carolina

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this date served this order in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States Mail, postage paid, or in the interagency Mail Service addressed to the party(ies) or their attorney(s).

This 25 day of September 2025

  
Judicial Law Clerk