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The State of South Carolina



Office of the Attorney General

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June 21, 1991

HAND DELIVERED

The Honorable John L. Scott  
Member, House of Representatives  
2014 Taylor Street  
Columbia, South Carolina 29201

Dear Mr. Scott:

You have asked whether an attorney employed on a permanent basis by Richland County, who has been dismissed by action of the Richland County Council, may process his complaint through the Richland County employee grievance process. I believe that the Richland County grievance procedure is available to this employee.

Richland County Ordinance Section 2-476 provides, in its relevant part, that:

A grievance is defined as any complaint by an employee that he has been treated unfairly, unlawfully, or in violation of his rights under County policies, with regard to any matter pertaining to his employment by the County. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion and demotion.

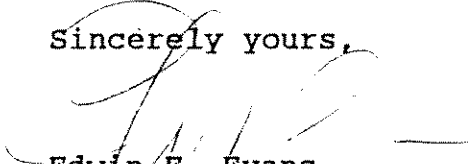
The grievance ordinance [Section 2-475, et seq.] does not contain any limiting language that suggests an intention to exclude professional employees of the County whose jobs are removed by action of the Richland County Council. The only limitation contained within the grievance ordinance is that related to deputy sheriffs. Thus, I believe that the grievance procedure is available to County employees whose jobs are removed by action of the County Council. Parenthetically, I am advised that the County has previously determined that County employees, whose jobs have been

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deleted by County Council, may make use of the County's grievance procedure.

Please contact me if I may provide any further assistance.


Sincerely yours,



Edwin E. Evans  
Chief Deputy Attorney General

EEE/shb

REVIEWED AND APPROVED:



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ROBERT D. COOK  
Executive Assistant for Opinions