

1979 WL 42784 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 30, 1979

\*1 Honorable Eugene C. Stoddard  
Member  
House of Representatives  
Route 3  
Gray Court, South Carolina 29645

Dear Gene:

You inquired about the problem that may be presented with respect to deductions of wages of school district personnel for SCEA dues.

The problem of whether a political subdivision may allow deduction of wages for various-purposes, such as the one about which you asked, is now under consideration by this Office and an opinion will be forthcoming in the future.

If, however, it is assumed that deduction of wages for dues can be made in any circumstances by a political subdivision of the State, the actual grant of such deductions may present a problem. The United States Supreme Court has recently passed on this matter in a case involving the firemen of the City of Charlotte. It held that such a political subdivision must show a reasonable basis for allowing deductions in some instances, but not in others. The practice of the City of Charlotte in allowing deductions only when it benefited all of its employees or all of the department of a city was held to be a reasonable practice and nondiscriminatory.

As soon as a determination is reached by this Office on whether a political subdivision, such as a school district, can allow a deduction of wages for any reason, I will advise you.

With best wishes,  
Very truly yours,

Daniel R. McLeod  
Attorney General

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