

1973 WL 26854 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 23, 1973

*1 Ms. D. Carolyn Busch
Attorney at Law
4520 Rimrock Trail
Austin, Texas

Dear Ms. Busch:

Your letter of August 16, 1973, addressed to the Attorney General has been referred to me for reply. In response to your inquiry, this is to inform you that there are no laws in South Carolina which deal with the right of a public employee to collectively bargain and/or strike his employer. Suffice it to say, the laws of South Carolina are silent on this point. Although we have no State laws which deal with the relationship between the public employee and his employer, it is the public policy of this State that public employees do not have the right to collectively bargain with their employer, nor do public employees have the right to strike their employer. I have enclosed a decision by a South Carolina circuit judge which fairly well delineates the law in this State in regard to labor relations between the State and its employees. This decision came about after a very vicious strike which occurred at a state hospital in Charleston, South Carolina. The decision was never appealed to our State Supreme Court and, therefore, is unreported.

I am also enclosing a copy of the State Employee Grievance Procedure Act which was enacted by our General Assembly in 1971. This legislation was passed largely as a result of the Charleston strike and has, in my opinion, proved to be very beneficial in that it gives public employees a forum in which to air their grievances.

This office had done a great deal of research in the area of public employee labor relations, and I would be glad to furnish some of it to you if you find it would be beneficial. I hope that the enclosures will be of some assistance to you.

Very truly yours,

Ellison D. Smith, IV
Assistant Attorney General

1973 WL 26854 (S.C.A.G.)

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.