

1972 WL 25510 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 14, 1972

*1 Honorable Carl J. Megel
Legislative Director
American Federation of Teachers
1012-14th Street, N.W.
Washington, D. C. 20005

Dear Mr. Megel:

My apologies for the delay in answering your request for information regarding the public employee collective bargaining law in South Carolina. The only statute regarding public employee collective bargaining in this State pertains to certain employees of the State Ports Authority who are covered by the National Railway Labor Act. Even this statute does not purport to set up collective bargaining machinery. It merely gives the State's consent to coverage of certain State employees by the Railway Labor Act. (See Section 54-21, 1962 Code of Laws of South Carolina.)

I am enclosing a copy of the Order of the Court of Common Pleas for Charleston County enjoining a strike by public employees in the spring of 1969. The Court held, and it is the opinion of this Office, that in this State public employees do not have the right to strike and do not have the right to demand collective bargaining.

I trust that this will answer your questions. If I can be of further help, please let me know.

Yours very truly,

R. Evan Palmer
Assistant Attorney General

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