

1974 WL 27616 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 30, 1974

*1 Joseph B. McDevitt
University Counsel
Clerston University
Clemson, South Carolina 29631

Dear Joe:

This is in response to your letter of January 10, 1974, seeking the advice of this office with regard to the inquiry of HEW's office for Civil Rights concerning Clemson University's compliance posture with certain federal sex discrimination guidelines as they relate to the University maternity leave policy. It appears that there is a conflict between these guidelines and certain state statutes concerning maternity leave and sick leave for state employees. If this be so, it would appear that a decision must be made either to challenge the propriety of the guidelines or change the structure of the state law on the subject to conform with the guidelines.

Please be advised that this office is taking the matter under advisement. You will be promptly advised of developments in this matter.

With regard to HEW's request that you reply to their inquiry within thirty days, I would suggest that you advise them that the matter has been referred to this office for advice as to what adjustments should be made in University policy.

Sincerely,

Bruce E. Davis
Assistant Attorney General

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