

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

Sue Andrus,

Plaintiff,

v.

Oconee County Public Library; Oconee
County; and Blair Hinson, in his individual
capacity,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE TENTH JUDICIAL CIRCUIT

Case No.: _____

SUMMONS

(Jury Trial Demanded)

(Violation of, retaliation under, and
interference with protected rights under Title
VII of the Civil Rights Act of 1964; Wrongful
Discharge in Violation of South Carolina
Public Policy; and Violation of the First
Amendment to the United States
Constitution)

TO: THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is served upon you, and to serve a copy of your Answer to the Complaint on the Plaintiff's attorneys, Burnette Shutt & McDaniel, P.A., at their office at 912 Lady Street, Second Floor, Columbia, South Carolina, 29201, within thirty days after service of the Complaint, not including the day of service. If you fail to answer the Complaint within the time allowed, default judgment will be rendered against you for the relief demanded in the Complaint.

(Signature follows.)

s/ Lydia Robins Hendrix
Nekki Shutt (SC Bar No. 8784)
Lydia Robins Hendrix (SC Bar No. 106334)
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ATTORNEYS FOR PLAINTIFF

Columbia, South Carolina

June 12, 2025

STATE OF SOUTH CAROLINA

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(Jury Trial Demanded)(Violation of, retaliation under, and
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VII of the Civil Rights Act of 1964; Wrongful
Discharge in Violation of South Carolina
Public Policy; and Violation of the First
Amendment to the United States
Constitution)

Plaintiff Sue Andrus ("Sue") complaining against Defendants Oconee County Public Library ("Defendant OCPL" or "OCPL"), Oconee County ("Defendant Oconee") and Blair Hinson ("Defendant Hinson") (collectively "Defendants") would respectfully show unto this Court as follows:

NATURE OF THE ACTION

1. In light of how this library treated professional librarian Sue Andrus, it is no wonder that South Carolina leads the nation in book banning and censorship. Plaintiff Sue Andrus is a 61-year-old heterosexual librarian. She has over 30 years of experience as a librarian, over 20 of which she spent in service to the Oconee County Public Library. Most recently, Sue served as OCPL's Branch Services Manager. In that role, Sue consistently worked to fulfill Defendant Oconee County's goal of ensuring that OCPL was a welcoming and inclusive environment for all patrons and staff. In line with this commitment, Sue supported the library's annual Pride Month Book display, which highlighted literature and resources celebrating the LGBTQ+ community. However, in 2023, Executive Director Defendant Hinson cancelled OCPL's annual Pride Month

display. Concerned about the discriminatory message it sent to LGBTQ+ staff and patrons, Sue objected to the decision and engaged in protected activity. Four other colleagues joined Sue in wearing rainbow lanyards to contest the discrimination and censorship. While Defendant Hinson expressed resentment towards Sue's concerns, he showed a great willingness to accommodate the political and social views of staff and community members who disdained the LGBTQ+ community. Ultimately, Defendant Hinson's accommodation of the anti-LGBTQ+ perspective resulted in Defendants' terminating the employment of Sue and another colleague who also engaged in protected opposition activity, and in retaliation for doing the same, without warning or adherence to OCPL's progressive disciplinary procedures. Plaintiff brings this action against Defendants to recover damages caused by Defendants' discrimination in violation of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e, *et seq*, retaliatory discharge in violation of Title VII, wrongful discharge in violation of the public policy of South Carolina, and violation of the First and Fourteenth Amendments of the United States Constitution under 42. U.S.C. § 1983. Each allegation is more fully set forth herein.

PARTIES, JURISDICTION, VENUE

2. Plaintiff Sue Andrus is a citizen and resident of Oconee County, South Carolina. (**Exhibit 1:** Andrus Sworn Affidavit, ¶ 1.)

3. Defendant Oconee County Public Library is a public body organized under the laws of and has its principal place of operation in Oconee County, South Carolina.

4. Defendant Oconee County is a county in South Carolina. It is responsible for providing human resources services to and financial oversight of Defendant Oconee County Public Library.

5. Defendant Oconee County Public Library is a division or agency of Defendant Oconee County.

6. Defendant Blair Hinson is a citizen and resident of Pickens County, South Carolina.

7. At all relevant times, Sue was employed by Defendants.

8. This court has jurisdiction over the parties and venue is proper in Oconee County, where Defendants Oconee County and OCPL has its principal place of business, and where Sue resides.

9. This court also has jurisdiction over the parties and venue is proper because the events giving rise to the action occurred in Oconee County.

10. Sue timely filed a charge of discrimination with the Equal Employment Opportunity Commission (EEOC Charge No.: 436-2024-00437) on or about November 28, 2023. The charge alleged retaliation in violation of Title VII. (**Ex. 1:** Andrus Sworn Aff., p. 6.)

11. The EEOC issued a *Dismissal and Notice of Rights* dated March 17, 2025.

12. Sue has exhausted all administrative remedies.

FACTS

13. Sue is a librarian with over 30 years of experience in her field.

14. Sue received a B.S. in 1986 from Clarion University of Pennsylvania in Education, specializing in Library Science.

15. Sue then received a Master of Library Science from Clarion University of Pennsylvania in 1988.

16. OCPL hired Sue to serve as a system maintenance and reference librarian

in 1991, where she remained through 2007.

17. From 2007 to 2017, Sue served as an instruction librarian for Tri-County Technical College.

18. On October 2, 2017, Defendants rehired Sue to return to OCPL as the Branch Services Manager. (**Ex. 1:** Andrus Sworn Aff. ¶ 5.)

19. Sue planned to work for Defendants to age 67.

20. In her role as the Branch Services Manager, Sue was second in command to OCPL Executive Director Defendant Hinson. (**Ex. 1:** Andrus Sworn Aff. ¶ 41.)

21. OCPL is a public institution that serves all of Oconee County and assists members of the public of all ages to understand how to find, use, and evaluate information, make informed decisions, know their community, and satisfy curiosity. (**Ex. 1:** Andrus Sworn Aff. ¶ 4.)

22. Defendant Oconee has had more than 500 employees in and since 2023.

23. Throughout Sue's employment with Defendants, her job performance met or exceeded Defendants' reasonable expectations. (**Ex. 1:** Andrus Sworn Aff. ¶ 6.)

24. Throughout Sue's employment with Defendants, she was never subjected to any disciplinary action or write-ups. (**Ex. 1:** Andrus Sworn Aff. ¶ 6.)

25. On June 7, 2021, in his performance evaluation of Sue, Defendant Hinson stated, "Sue meets or exceeds all aspects of her job description" and, regarding her weaknesses, "No real weaknesses to list here."

26. On June 24, 2022, in his performance evaluation of Sue, Defendant Hinson stated, "Sue meets or exceeds all aspects of her job description."

27. On June 12, 2023, Defendant Hinson's stated in his annual evaluation of

Sue that “Sue meets and often exceeds expectations.”

28. In or around April 2022, one of Sue’s co-workers—“C”—expressed to her fellow employees in a group chat that her child identified as transgender and was transitioning from male to female. (**Ex. 1**: Andrus Sworn Aff. ¶ 8.)

29. Sue responded and expressed support for her colleague and fellow librarian “C” and her child’s transition. (**Ex. 1**: Andrus Sworn Aff. ¶ 9.)

30. In response, Sue’s colleague Darcy Arnall (“Arnall”), the Children’s Librarian at the Walhalla Branch, abruptly left the group chat. (**Ex. 1**: Andrus Sworn Aff. ¶ 10.)

31. Arnall also stopped speaking to Sue for anything other than necessary work matters. (**Ex. 1**: Andrus Sworn Aff. ¶ 11.)

32. Previously, Arnall had been friendly with Sue and spoken to her socially. (**Ex. 1**: Andrus Sworn Aff. ¶ 11.)

33. Arnall also stopped talking to “C” socially at work. (**Ex. 1**: Andrus Sworn Aff. ¶ 12.)

34. Sue and “C” observed that several other began to distance themselves and ceased previously friendly interactions with her and “C” at work. (**Ex. 1**: Andrus Sworn Aff. ¶ 13.)

35. In June 2022, Sue crocheted rainbow lanyards at home for herself and “C” to wear on their IDs to show support for the LGBTQ+ community, “C,” and “C”’s child.

36. Also in June 2022, OCPL’s Walhalla branch had a Pride book display featuring LGBTQ+ topics and authors, as was typical in recent years. (**Ex. 1**: Andrus Sworn Aff. ¶ 14.)

37. The Pride book display was one display out of a larger series of displays

celebrating different groups and holidays, such as the Women's History Month display, Black History Month display, Juneteenth Display, among others.

38. The Pride book display featured books with favorable review in professional library selection journals such as Library Journal, School Library Journal, and Kirkus review. (**Ex. 1**: Andrus Sworn Aff. ¶ 15.)

39. A handful of patrons complained informally about the Pride book display in June 2022, but no formal complaints were made. (**Ex. 1**: Andrus Sworn Aff. ¶ 16.)

40. In June 2022, Defendant Hinson defended the Pride display to patrons and defended LGBTQ+ book displays. (**Ex. 1**: Andrus Sworn Aff. ¶ 17.)

41. OCPL regularly had other potentially controversial displays in the adult book section, including a display of romance novels, frequently referred to as "bodice-rippers," called, "Dude, Where's My Shirt?" (**Ex. 1**: Andrus Sworn Aff. ¶ 18.)

42. Neither Arnall nor any of the other OCPL staff complained about the non-LGBTQ+ oriented book displays during Sue's tenure. (**Ex. 1**: Andrus Sworn Aff. ¶ 19.)

43. In the spring of 2023, Sue's colleague—"M"—whose task it was to prepare seasonal book displays, indicated that she was planning a Pride display to incorporate books to ensure inclusivity of all residents served by OCPL, including the LGBTQ+ population. (**Ex. 1**: Andrus Sworn Aff. ¶ 20.)

44. However, despite OCPL's longstanding tradition of preparing Pride Month displays, on May 9, 2023, Defendant Hinson barred staff from putting up the planned Pride Month display. (**Ex. 1**: Andrus Sworn Aff. ¶ 21.)

45. Defendant Hinson indicated that he did not want to "deal" with the Pride display that year. (**Ex. 1**: Andrus Sworn Aff. ¶ 22.)

46. Over the course of May 15 to 18, Sue spoke openly—but respectfully—about her concerns of Defendant Hinson’s barring of the Pride book display at the circulation desk during the mornings when only staff were present. (**Ex. 1:** Andrus Sworn Aff. ¶ 23.)

47. Sue complained that discontinuing the Pride display would not only send the message to LGBTQ+ members of the community that they were not welcome at the library, but also that pulling the Pride display would send a message to both LGBTQ+ colleagues as well as “C” and another colleague—each who have transgender children—that their children and families were unwelcome and unsafe. (**Ex. 1:** Andrus Sworn Aff. ¶ 24.)

48. Defendant Hinson was aware of Sue’s opposition to his cancellation of the Pride month display. (**Ex. 1:** Andrus Sworn Aff. ¶ 26.)

49. Several of Sue’s colleagues, including Arnall, opposed acknowledging or supporting the LGBTQ+ community.

50. Sue’s anti-LGBTQ+ OCPL colleagues characterized Sue’s communications regarding support for the LGBTQ+ community as “political” activity.

51. Around the second or third week of May, Arnall went to Defendant Hinson’s office and had a “closed-door meeting.” (**Ex. 1:** Andrus Sworn Aff. ¶ 28.)

52. Upon information and belief, Arnall complained to Defendant Hinson that library staff, including Sue and “C,” were expressing concern about the lack of the Pride display and openly expressing support for the LGBTQ+ community. (**Ex. 1:** Andrus Sworn Aff. ¶ 29.)

53. On May 19, 2023, Defendant Hinson sent an email regarding “displays,

political discussions, etc.,” discouraging any discussion regarding the Pride display or OCPL’s messaging regarding the LGBTQ+ population. (**Ex. 1**: Andrus Sworn Aff. ¶ 30.)

54. Defendant Hinson also equated discussion of the Pride display, its impact on Sue’s colleagues, and the LGBTQ+ community as “political” discussion.

55. Defendant Hinson’s May 19, 2023, email drew a connection between Sue’s communications regarding the Pride display and its cancellation as “political discussion.”

56. Sue felt that Defendants actions in eliminating the Pride book display were discriminatory against her LGBTQ+ colleagues, colleagues with LGBTQ+ children, LGBTQ+ patrons, and the LGBTQ+ population at large. (**Ex. 1**: Andrus Sworn Aff. ¶ 31.)

57. Sue believed that Defendants’ actions in eliminating the Pride book display and discouraging any discussion of the impact on those employees created a hostile work environment for any LGBTQ+ colleagues and colleagues with LGBTQ+ children and associates. (**Ex. 1**: Andrus Sworn Aff. ¶ 32.)

58. On May 20, 2023, Sue wrote to Liz Kuemmerer (“Kuemmerer”), then OCPL Board Chair, to voice her concerns about Defendants banning the Pride book display and its impact on patrons, the community, and Sue’s colleagues. (Andrus Sworn Aff. ¶ 33.)

59. On May 22, 2023, Sue and Kuemmerer met to follow up on Sue’s email. (**Ex. 1**: Andrus Sworn Aff. ¶ 34.)

60. On May 30, 2023, Sue’s colleague “N” emailed Defendant Hinson regarding her opposition to his cancellation of the standard Pride Display, stating that she had two gay sons and that the cancellation of the Pride Display “felt like a slap in the face” to her.

61. In May 2023, concerned that Defendants’ actions were harmful both to her colleagues and to OCPL’s library patrons, several of Sue’s colleagues requested that she

make additional rainbow lanyards for several colleagues to use on their IDs.

62. In May 2023, Sue crocheted the additional rainbow lanyards at home, on her on time.

63. Sue made and wore the rainbow lanyards in protest and to show support for LGBTQ+ employees, family members of LGBTQ+ persons, and patrons looking for a safe space. (**Ex. 1**: Andrus Sworn Aff. ¶ 36.)

64. Approximately five OCPL employees, including Sue, wore the rainbow lanyards to express their opposition to OCPL's position on LGBTQ+ issues. (**Ex. 1**: Andrus Sworn Aff. ¶ 37.)

65. Additionally, "C" wrote an email complaining about the Pride display removal. (**Ex. 1**: Andrus Sworn Aff. ¶ 38.)

66. Defendant Hinson asked "C" into his office, where he further discouraged her from discussing Pride and the LGBTQ+ population. (**Ex. 1**: Andrus Sworn Aff. ¶ 39.)

67. Defendant Hinson also raised trivial conduct issues of "C," such as "too much chatting" and "too much standing around the circulation desk." (**Ex. 1**: Andrus Sworn Aff. ¶ 40.)

68. However, Defendant Hinson never took any progressive discipline steps towards "C."

69. Defendant Hinson had hiring and firing authority over Sue.

70. Despite being Defendant Hinson's second-in-command at OCPL, Defendant Hinson ceased most communication with Sue. (**Ex. 1**: Andrus Sworn Aff. ¶ 41.)

71. Instead, Defendant Hinson would speak with colleagues below Sue in

OCPL's organizational hierarchy about matters that he should have spoken about with Sue. (**Ex. 1**: Andrus Sworn Aff. ¶ 41.)

72. Around the beginning of July, Arnall announced that she would be leaving the library and that her last day would be July 28, 2023. (**Ex. 1**: Andrus Sworn Aff. ¶ 43.)

73. Upon information and belief, in her exit interview Arnall complained to Human Resources manager Sheila Wald ("Wald") about "C" and Sue's advocacy for the Pride book display and the need for the library to be inclusive of the LGBTQ+ community. (**Ex. 1**: Andrus Sworn Aff. ¶ 44.)

74. About a month later, on September 7, 2023, Defendant Hinson called "C" into his office and terminated her. (**Ex. 1**: Andrus Sworn Aff. ¶ 45.)

75. Approximately 15 minutes after Defendant Hinson terminated "C's" employment, he called Sue into his office and terminated her employment as well. (**Ex. 1**: Andrus Sworn Aff. ¶ 46.)

76. At Sue's grievance hearing, Defendants cited pretextual, minor performance issues as justification for terminating her employment. (**Ex. 1**: Andrus Sworn Aff. ¶ 47-48.)

77. Prior to Defendants' termination, Sue had not previously been formally disciplined or placed on a performance improvement plan.

78. In fact, as recently as June 12, 2023, Defendant Hinson had described Sue's work performance as "meets and often exceeds expectations."

79. During Sue's tenure with Defendants, Defendants had historically afforded employees who were not meeting expectations with the opportunity to improve during Performance Improvement Plans and had given employees many opportunities to

address weaknesses in their job performance prior to termination.

80. On September 15, 2023, Kuemmerer wrote to Defendant Hinson and indicated that Wald grossly mishandled Defendant Oconee County's terminations of Sue and "C."

81. In Kuemmerer's September 15, 2023 email, she drew a connection to Arnall's exit interview and Arnall's "fear-based Christianity" with Defendants' termination of Sue and "C's" employment.

82. In Kuemmerer's September 15, 2023, email to Hinson, she noted that OCPL's Board typically spoke about personnel issues in executive session.

83. However, according to Kuemmerer's September 15, 2023 email, Defendants terminated Sue—the second in command at OCPL—without warning or mention of any concern to OCPL's Board in executive session.

84. On September 22, 2023, Kuemmerer emailed Amanda Brock ("Brock"), Defendant Oconee County's Administrator.

85. In her September 22, 2023 email to Brock, Kuemmerer further expressed her concern with Sue and "C's" terminations.

86. In the September 22, 2023, email to Brock, Kuemmerer further lamented the failure of Defendants to raise any concern with the OCPL Board prior to the termination of librarians.

87. Since Defendants' termination of Sue's employment on September 7, 2023, Sue has diligently sought other similar full-time employment.

88. However, despite her efforts, Sue has not been able to secure a comparable position to her job as Branch Services Manager at OCPL.

89. Sue had intended to work as Branch Services Manager at OCPL until she retired at 67.

90. As a result of Defendants' wrongful and retaliatory conduct, Sue has been forced to retire seven years earlier than she would have had she not been wrongfully terminated.

91. Furthermore, because Sue was forced to draw retirement seven years earlier than she otherwise would have had Defendants not wrongfully terminated her, she receives \$505.00 a month less in retirement benefits than had she worked through age 67.

92. Defendants have further retaliated against Sue for her protected opposition activity and protected speech by refusing to allow Sue to even serve as a volunteer for OCPL Friends of the Library organization.

93. As a result of Defendants' actions, Sue has suffered damages including but not limited to loss of income to age 67; loss of employee benefits such as health insurance, dental insurance, vision insurance, disability benefits, retirement contributions, and life insurance; diminished retirement benefits; humiliation; harm to her reputation; attorneys' fees; and costs.

FOR A FIRST CAUSE OF ACTION
(As to Defendants Oconee County and Oconee County Public Library)
(Discrimination in Violation of Title VII)

94. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating the allegations herein by reference.

95. Sue was qualified for her position as Branch Services Manager.

96. Title VII of the Civil Rights Act of 1964 prohibits employers from taking an adverse employment position against an employee as a result of a discriminatory animus

towards protected third persons with whom an individual associated.

97. Despite Sue's qualification for her position, Defendants terminated Sue because of her associated with a protected class.

98. Defendants' proffered reasons for terminating Sue are pretext for unlawful discrimination and retaliation.

99. As a direct result and consequence of Defendants' discrimination in violation of Title VII, Sue has suffered, and continues to suffer, lost wages, lost employment benefits, reputational harm, and other economic and non-economic damages.

100. As a result of Defendants' discriminatory conduct, Sue is entitled to all remedies available under Title VII, including but not limited to back pay, front pay, compensatory damages, punitive damages, reinstatement or other equitable relief, and reasonable attorneys' fees and costs.

FOR A SECOND CAUSE OF ACTION
(As to Defendants Oconee County and Oconee County Public Library)
(Retaliation in Violation of Title VII)

101. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating the allegations herein by reference.

102. Defendants terminated Sue's employment in retaliation for engaging in protected activity under Title VII, specifically opposing what she reasonably believed to be unlawful sex discrimination.

103. Title VII of the Civil Rights Act of 1964 prohibits employers from retaliating against employees who oppose practices that they reasonably believe to be discriminatory, including discrimination against LGBTQ+ individuals.

104. Sue engaged in protected activity under Title VII when she objected to

Defendants' removal of the Pride Month Book Display, an act she reasonably believed constituted sex-based discrimination, and when she wore LGBTQ+ affirming lanyards to visibly support LGBTQ+ patrons and employees.

105. Defendants unlawfully retaliated against Sue by terminating her employment.

106. Defendants' proffered reasons for terminating Sue are pretext for unlawful discrimination and retaliation.

107. As a direct result and consequence of these Defendants' retaliation in violation of Title VII, Sue has suffered, and continues to suffer, lost wages, lost employment benefits, reputational harm, and other economic and non-economic damages.

108. As a result of Defendants' retaliatory conduct, Sue is entitled to all remedies available under Title VII, including but not limited to back pay, front pay, compensatory damages, punitive damages, reinstatement or other equitable relief, and reasonable attorneys' fees and costs.

FOR A THIRD CAUSE OF ACTION
(As to All Defendants)
(Wrongful Discharge in Violation of Public Policy)

109. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating allegations herein by reference.

110. The South Carolina Legislature has expressed a clear public policy against terminating an employee for their political opinions or exercising political rights and privileges, including those guaranteed by the Constitution and laws of the United States and the Constitution and laws of South Carolina. S.C. Code Ann. § 16-17-560.

111. Violation of S.C. Code § 16-17-560 is an offense against public policy per statute.

112. Violating S.C. Code § 16-17-560 is an offense against public policy *per se* of statute.

113. Violating S.C. Code § 16-17-560 constitutes negligence per se and is evidence of recklessness and willfulness, requiring the submission of the issue of punitive damages to the jury.

114. Under S.C. Code § 16-17-560, any “person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than two years or both.”

115. It is a violation of public policy for an employer to discharge an employee for her political opinions or exercising political rights and privileges.

116. Sue, at all times relevant to this claim, carried out the functions of her job competently and in accordance with Defendants’ policies.

117. Sue’s wearing a rainbow lanyard in protest of Defendants’ position on LGBTQ+ matters constitutes “pure speech” under the First Amendment of the Constitution of the United States.

118. Defendants knowingly and willfully discharged Sue for her political opinion regarding the treatment of the LGBTQ+ community and the exercise of her rights and privileges afforded to her under the laws and Constitution of the United States and the laws and Constitution of South Carolina.

119. Therefore, Defendant’s termination of Sue is itself a violation of criminal law. *See Ludwick v. This Minute of Carolina, Inc.*, 287 S.C. 219, 225, 337 S.E.2d 213, 216

(1985).

120. As a result of Defendants' wrongful actions, Sue suffered damages, including lost wages and benefits associated with employment, as well as financial distress.

121. Sue is entitled to recover actual damages, consequential damages, punitive damages, and all other relief the Court deems just and proper.

FOR A FOURTH CAUSE OF ACTION
(Against Defendant Blair Hinson)
(42 U.S.C. § 1983- Retaliation in Violation of the First Amendment to the United States Constitution)

122. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating the allegations herein by reference.

123. Sue's right to speak freely about matters of public concern is protected by the First and Fourteenth Amendments to the United States Constitution.

124. Citizens have a vital interest in free and open discussion on issues of public interest and importance. *Connick v. Myers*, 461 U.S. 138, 103 S. Ct. 1684, 75 L. Ed. 2d 708 (1983).

125. It is a violation of the First and Fourteenth Amendments for public employers—including Defendant Hinson, acting under color of state law—to discipline or terminate an employee in retaliation for speaking out on matters of public concern. *Connick v. Myers*, 461 U.S. 138, 103 S. Ct. 1684, 75 L. Ed. 2d 708 (1983).

126. Sue spoke out against the banning of the Pride book display, an act she reasonably believed was discriminatory against LGBTQ+ individuals and harmful to the community.

127. Sue's speech and conduct addressed a matter of public concern, as it

implicated issues of civil rights and the general well-being of the community.

128. Defendant Hinson, acting under the color of state law, terminated Sue in response to her protected speech, in violation of her clearly established rights under the First and Fourteenth Amendments.

129. Defendant Hinson's retaliatory actions were undertaken willfully, knowingly, and in bad faith, with reckless disregard for Sue's constitutional rights—rights that any reasonable public employee in Hinson's position would have known were protected.

130. As a direct and proximate result of this constitutional violation, Sue has suffered and continues to suffer harm, including lost wages and benefits, emotional distress, reputational damage, and other economic and non-economic losses.

131. Upon information and belief, Defendant Hinson's actions were not only unconstitutional but also intentional, malicious, and in reckless disregard of Sue's protected rights.

132. Accordingly, Sue is entitled to recover compensatory damages for these injuries, as well as punitive damages against Defendant Hinson in his individual capacity, in an amount sufficient to deter similar unconstitutional conduct in the future.

133. Pursuant to 42 U.S.C. § 1983, "every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State... subjects... any citizen... to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured . . ."

134. Thus, Defendant Hinson is fully liable to Sue for her injuries resulting from his retaliation in violation of the First and Fourteenth Amendments.

135. Defendant Hinson is also liable for Sue's reasonable attorneys' fees and

costs. 42 U.S.C. § 1988.

WHEREFORE, having fully complained of Defendants, Sue respectfully requests that this action be tried by a jury and prays that judgment be awarded against Defendants as follows:

A. Enjoin Defendants from:

- a. Subjecting employees to discrimination and harassment based on sex; and
- b. Retaliating against employees who engage in activity protected under Title VII, the United States Constitution, the South Carolina Constitution; South Carolina statutory law; and South Carolina public policy;

B. Order Defendants to develop and implement appropriate and effective measures designed to prevent discrimination, harassment, and retaliation, including but limited to policies and training for employees and managers;

C. Order Defendants to develop appropriate and effective measures to receive complaints of discrimination, harassment, and retaliation, as well as a process for investigating such complaints;

D. Order Defendants to reinstate Sue;

E. Award Sue back pay in the amount of \$45,267.68 per year;

F. Award Sue front pay in the amount of \$45,267.68 per year through age 67;

G. Award Sue actual damages resulting from her loss of income; loss of employee benefits such as health insurance, dental insurance, vision insurance, disability benefits, retirement contributions to FICA and SC PEBA

retirement programs, and life insurance; and harm to her reputation to fully compensate her for injuries caused by Defendants' discriminatory, harassing, retaliatory, and unlawful conduct;

- H. Award Sue compensatory damages;
- I. Award Sue the statutory maximum in punitive damages under Title VII to punish Defendants for their egregious conduct and to deter similar actions in the future;
- J. Award Sue punitive damages under 42 U.S.C. § 1983 to punish Defendants for their egregious conduct and to deter similar actions in the future;
- K. Award Sue pre-judgment interest where recoverable;
- L. Grant Sue her reasonable attorney's fees and costs; and
- M. Award such other and further relief as this Court deems just and proper.

Respectfully submitted,

s/ Lydia Robins Hendrix
Nekki Shutt (SC Bar No. 8784)
Lydia Robins Hendrix (SC Bar No. 106334)
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1. In light of how this library treated professional librarian Sue Andrus, it is no wonder that South Carolina leads the nation in book banning and censorship. Plaintiff Sue Andrus is a 61-year-old heterosexual librarian. She has over 30 years of experience as a librarian, over 20 of which she spent in service to the Oconee County Public Library. Most recently, Sue served as OCPL's Branch Services Manager. In that role, Sue consistently worked to fulfill Defendant Oconee County's goal of ensuring that OCPL was a welcoming and inclusive environment for all patrons and staff. In line with this commitment, Sue supported the library's annual Pride Month Book display, which highlighted literature and resources celebrating the LGBTQ+ community. However, in 2023, Executive Director Defendant Hinson cancelled OCPL's annual Pride Month

display. Concerned about the discriminatory message it sent to LGBTQ+ staff and patrons, Sue objected to the decision and engaged in protected activity. Four other colleagues joined Sue in wearing rainbow lanyards to contest the discrimination and censorship. While Defendant Hinson expressed resentment towards Sue's concerns, he showed a great willingness to accommodate the political and social views of staff and community members who disdained the LGBTQ+ community. Ultimately, Defendant Hinson's accommodation of the anti-LGBTQ+ perspective resulted in Defendants' terminating the employment of Sue and another colleague who also engaged in protected opposition activity, and in retaliation for doing the same, without warning or adherence to OCPL's progressive disciplinary procedures. Plaintiff brings this action against Defendants to recover damages caused by Defendants' discrimination in violation of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e, *et seq*, retaliatory discharge in violation of Title VII, wrongful discharge in violation of the public policy of South Carolina, and violation of the First and Fourteenth Amendments of the United States Constitution under 42. U.S.C. § 1983. Each allegation is more fully set forth herein.

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2. Plaintiff Sue Andrus is a citizen and resident of Oconee County, South Carolina. (**Exhibit 1:** Andrus Sworn Affidavit, ¶ 1.)

3. Defendant Oconee County Public Library is a public body organized under the laws of and has its principal place of operation in Oconee County, South Carolina.

4. Defendant Oconee County is a county in South Carolina. It is responsible for providing human resources services to and financial oversight of Defendant Oconee County Public Library.

5. Defendant Oconee County Public Library is a division or agency of Defendant Oconee County.

6. Defendant Blair Hinson is a citizen and resident of Pickens County, South Carolina.

7. At all relevant times, Sue was employed by Defendants.

8. This court has jurisdiction over the parties and venue is proper in Oconee County, where Defendants Oconee County and OCPL has its principal place of business, and where Sue resides.

9. This court also has jurisdiction over the parties and venue is proper because the events giving rise to the action occurred in Oconee County.

10. Sue timely filed a charge of discrimination with the Equal Employment Opportunity Commission (EEOC Charge No.: 436-2024-00437) on or about November 28, 2023. The charge alleged retaliation in violation of Title VII. (**Ex. 1:** Andrus Sworn Aff., p. 6.)

11. The EEOC issued a *Dismissal and Notice of Rights* dated March 17, 2025.

12. Sue has exhausted all administrative remedies.

FACTS

13. Sue is a librarian with over 30 years of experience in her field.

14. Sue received a B.S. in 1986 from Clarion University of Pennsylvania in Education, specializing in Library Science.

15. Sue then received a Master of Library Science from Clarion University of Pennsylvania in 1988.

16. OCPL hired Sue to serve as a system maintenance and reference librarian

in 1991, where she remained through 2007.

17. From 2007 to 2017, Sue served as an instruction librarian for Tri-County Technical College.

18. On October 2, 2017, Defendants rehired Sue to return to OCPL as the Branch Services Manager. (**Ex. 1:** Andrus Sworn Aff. ¶ 5.)

19. Sue planned to work for Defendants to age 67.

20. In her role as the Branch Services Manager, Sue was second in command to OCPL Executive Director Defendant Hinson. (**Ex. 1:** Andrus Sworn Aff. ¶ 41.)

21. OCPL is a public institution that serves all of Oconee County and assists members of the public of all ages to understand how to find, use, and evaluate information, make informed decisions, know their community, and satisfy curiosity. (**Ex. 1:** Andrus Sworn Aff. ¶ 4.)

22. Defendant Oconee has had more than 500 employees in and since 2023.

23. Throughout Sue's employment with Defendants, her job performance met or exceeded Defendants' reasonable expectations. (**Ex. 1:** Andrus Sworn Aff. ¶ 6.)

24. Throughout Sue's employment with Defendants, she was never subjected to any disciplinary action or write-ups. (**Ex. 1:** Andrus Sworn Aff. ¶ 6.)

25. On June 7, 2021, in his performance evaluation of Sue, Defendant Hinson stated, "Sue meets or exceeds all aspects of her job description" and, regarding her weaknesses, "No real weaknesses to list here."

26. On June 24, 2022, in his performance evaluation of Sue, Defendant Hinson stated, "Sue meets or exceeds all aspects of her job description."

27. On June 12, 2023, Defendant Hinson's stated in his annual evaluation of

Sue that “Sue meets and often exceeds expectations.”

28. In or around April 2022, one of Sue’s co-workers—“C”—expressed to her fellow employees in a group chat that her child identified as transgender and was transitioning from male to female. (**Ex. 1**: Andrus Sworn Aff. ¶ 8.)

29. Sue responded and expressed support for her colleague and fellow librarian “C” and her child’s transition. (**Ex. 1**: Andrus Sworn Aff. ¶ 9.)

30. In response, Sue’s colleague Darcy Arnall (“Arnall”), the Children’s Librarian at the Walhalla Branch, abruptly left the group chat. (**Ex. 1**: Andrus Sworn Aff. ¶ 10.)

31. Arnall also stopped speaking to Sue for anything other than necessary work matters. (**Ex. 1**: Andrus Sworn Aff. ¶ 11.)

32. Previously, Arnall had been friendly with Sue and spoken to her socially. (**Ex. 1**: Andrus Sworn Aff. ¶ 11.)

33. Arnall also stopped talking to “C” socially at work. (**Ex. 1**: Andrus Sworn Aff. ¶ 12.)

34. Sue and “C” observed that several other began to distance themselves and ceased previously friendly interactions with her and “C” at work. (**Ex. 1**: Andrus Sworn Aff. ¶ 13.)

35. In June 2022, Sue crocheted rainbow lanyards at home for herself and “C” to wear on their IDs to show support for the LGBTQ+ community, “C,” and “C”’s child.

36. Also in June 2022, OCPL’s Walhalla branch had a Pride book display featuring LGBTQ+ topics and authors, as was typical in recent years. (**Ex. 1**: Andrus Sworn Aff. ¶ 14.)

37. The Pride book display was one display out of a larger series of displays

celebrating different groups and holidays, such as the Women's History Month display, Black History Month display, Juneteenth Display, among others.

38. The Pride book display featured books with favorable review in professional library selection journals such as Library Journal, School Library Journal, and Kirkus review. (**Ex. 1**: Andrus Sworn Aff. ¶ 15.)

39. A handful of patrons complained informally about the Pride book display in June 2022, but no formal complaints were made. (**Ex. 1**: Andrus Sworn Aff. ¶ 16.)

40. In June 2022, Defendant Hinson defended the Pride display to patrons and defended LGBTQ+ book displays. (**Ex. 1**: Andrus Sworn Aff. ¶ 17.)

41. OCPL regularly had other potentially controversial displays in the adult book section, including a display of romance novels, frequently referred to as “bodice-rippers,” called, “Dude, Where’s My Shirt?” (**Ex. 1**: Andrus Sworn Aff. ¶ 18.)

42. Neither Arnall nor any of the other OCPL staff complained about the non-LGBTQ+ oriented book displays during Sue’s tenure. (**Ex. 1**: Andrus Sworn Aff. ¶ 19.)

43. In the spring of 2023, Sue’s colleague—“M”—whose task it was to prepare seasonal book displays, indicated that she was planning a Pride display to incorporate books to ensure inclusivity of all residents served by OCPL, including the LGBTQ+ population. (**Ex. 1**: Andrus Sworn Aff. ¶ 20.)

44. However, despite OCPL’s longstanding tradition of preparing Pride Month displays, on May 9, 2023, Defendant Hinson barred staff from putting up the planned Pride Month display. (**Ex. 1**: Andrus Sworn Aff. ¶ 21.)

45. Defendant Hinson indicated that he did not want to “deal” with the Pride display that year. (**Ex. 1**: Andrus Sworn Aff. ¶ 22.)

46. Over the course of May 15 to 18, Sue spoke openly—but respectfully—about her concerns of Defendant Hinson’s barring of the Pride book display at the circulation desk during the mornings when only staff were present. (**Ex. 1**: Andrus Sworn Aff. ¶ 23.)

47. Sue complained that discontinuing the Pride display would not only send the message to LGBTQ+ members of the community that they were not welcome at the library, but also that pulling the Pride display would send a message to both LGBTQ+ colleagues as well as “C” and another colleague—each who have transgender children—that their children and families were unwelcome and unsafe. (**Ex. 1**: Andrus Sworn Aff. ¶ 24.)

48. Defendant Hinson was aware of Sue’s opposition to his cancellation of the Pride month display. (**Ex. 1**: Andrus Sworn Aff. ¶ 26.)

49. Several of Sue’s colleagues, including Arnall, opposed acknowledging or supporting the LGBTQ+ community.

50. Sue’s anti-LGBTQ+ OCPL colleagues characterized Sue’s communications regarding support for the LGBTQ+ community as “political” activity.

51. Around the second or third week of May, Arnall went to Defendant Hinson’s office and had a “closed-door meeting.” (**Ex. 1**: Andrus Sworn Aff. ¶ 28.)

52. Upon information and belief, Arnall complained to Defendant Hinson that library staff, including Sue and “C,” were expressing concern about the lack of the Pride display and openly expressing support for the LGBTQ+ community. (**Ex. 1**: Andrus Sworn Aff. ¶ 29.)

53. On May 19, 2023, Defendant Hinson sent an email regarding “displays,

political discussions, etc.,” discouraging any discussion regarding the Pride display or OCPL’s messaging regarding the LGBTQ+ population. (**Ex. 1:** Andrus Sworn Aff. ¶ 30.)

54. Defendant Hinson also equated discussion of the Pride display, its impact on Sue’s colleagues, and the LGBTQ+ community as “political” discussion.

55. Defendant Hinson’s May 19, 2023, email drew a connection between Sue’s communications regarding the Pride display and its cancellation as “political discussion.”

56. Sue felt that Defendants actions in eliminating the Pride book display were discriminatory against her LGBTQ+ colleagues, colleagues with LGBTQ+ children, LGBTQ+ patrons, and the LGBTQ+ population at large. (**Ex. 1:** Andrus Sworn Aff. ¶ 31.)

57. Sue believed that Defendants’ actions in eliminating the Pride book display and discouraging any discussion of the impact on those employees created a hostile work environment for any LGBTQ+ colleagues and colleagues with LGBTQ+ children and associates. (**Ex. 1:** Andrus Sworn Aff. ¶ 32.)

58. On May 20, 2023, Sue wrote to Liz Kuemmerer (“Kuemmerer”), then OCPL Board Chair, to voice her concerns about Defendants banning the Pride book display and its impact on patrons, the community, and Sue’s colleagues. (Andrus Sworn Aff. ¶ 33.)

59. On May 22, 2023, Sue and Kuemmerer met to follow up on Sue’s email. (**Ex. 1:** Andrus Sworn Aff. ¶ 34.)

60. On May 30, 2023, Sue’s colleague “N” emailed Defendant Hinson regarding her opposition to his cancellation of the standard Pride Display, stating that she had two gay sons and that the cancellation of the Pride Display “felt like a slap in the face” to her.

61. In May 2023, concerned that Defendants’ actions were harmful both to her colleagues and to OCPL’s library patrons, several of Sue’s colleagues requested that she

make additional rainbow lanyards for several colleagues to use on their IDs.

62. In May 2023, Sue crocheted the additional rainbow lanyards at home, on her on time.

63. Sue made and wore the rainbow lanyards in protest and to show support for LGBTQ+ employees, family members of LGBTQ+ persons, and patrons looking for a safe space. (**Ex. 1**: Andrus Sworn Aff. ¶ 36.)

64. Approximately five OCPL employees, including Sue, wore the rainbow lanyards to express their opposition to OCPL's position on LGBTQ+ issues. (**Ex. 1**: Andrus Sworn Aff. ¶ 37.)

65. Additionally, "C" wrote an email complaining about the Pride display removal. (**Ex. 1**: Andrus Sworn Aff. ¶ 38.)

66. Defendant Hinson asked "C" into his office, where he further discouraged her from discussing Pride and the LGBTQ+ population. (**Ex. 1**: Andrus Sworn Aff. ¶ 39.)

67. Defendant Hinson also raised trivial conduct issues of "C," such as "too much chatting" and "too much standing around the circulation desk." (**Ex. 1**: Andrus Sworn Aff. ¶ 40.)

68. However, Defendant Hinson never took any progressive discipline steps towards "C."

69. Defendant Hinson had hiring and firing authority over Sue.

70. Despite being Defendant Hinson's second-in-command at OCPL, Defendant Hinson ceased most communication with Sue. (**Ex. 1**: Andrus Sworn Aff. ¶ 41.)

71. Instead, Defendant Hinson would speak with colleagues below Sue in

OCPL's organizational hierarchy about matters that he should have spoken about with Sue. (**Ex. 1:** Andrus Sworn Aff. ¶ 41.)

72. Around the beginning of July, Arnall announced that she would be leaving the library and that her last day would be July 28, 2023. (**Ex. 1:** Andrus Sworn Aff. ¶ 43.)

73. Upon information and belief, in her exit interview Arnall complained to Human Resources manager Sheila Wald ("Wald") about "C" and Sue's advocacy for the Pride book display and the need for the library to be inclusive of the LGBTQ+ community. (**Ex. 1:** Andrus Sworn Aff. ¶ 44.)

74. About a month later, on September 7, 2023, Defendant Hinson called "C" into his office and terminated her. (**Ex. 1:** Andrus Sworn Aff. ¶ 45.)

75. Approximately 15 minutes after Defendant Hinson terminated "C's" employment, he called Sue into his office and terminated her employment as well. (**Ex. 1:** Andrus Sworn Aff. ¶ 46.)

76. At Sue's grievance hearing, Defendants cited pretextual, minor performance issues as justification for terminating her employment. (**Ex. 1:** Andrus Sworn Aff. ¶ 47-48.)

77. Prior to Defendants' termination, Sue had not previously been formally disciplined or placed on a performance improvement plan.

78. In fact, as recently as June 12, 2023, Defendant Hinson had described Sue's work performance as "meets and often exceeds expectations."

79. During Sue's tenure with Defendants, Defendants had historically afforded employees who were not meeting expectations with the opportunity to improve during Performance Improvement Plans and had given employees many opportunities to

address weaknesses in their job performance prior to termination.

80. On September 15, 2023, Kuemmerer wrote to Defendant Hinson and indicated that Wald grossly mishandled Defendant Oconee County's terminations of Sue and "C."

81. In Kuemmerer's September 15, 2023 email, she drew a connection to Arnall's exit interview and Arnall's "fear-based Christianity" with Defendants' termination of Sue and "C's" employment.

82. In Kuemmerer's September 15, 2023, email to Hinson, she noted that OCPL's Board typically spoke about personnel issues in executive session.

83. However, according to Kuemmerer's September 15, 2023 email, Defendants terminated Sue—the second in command at OCPL—without warning or mention of any concern to OCPL's Board in executive session.

84. On September 22, 2023, Kuemmerer emailed Amanda Brock ("Brock"), Defendant Oconee County's Administrator.

85. In her September 22, 2023 email to Brock, Kuemmerer further expressed her concern with Sue and "C's" terminations.

86. In the September 22, 2023, email to Brock, Kuemmerer further lamented the failure of Defendants to raise any concern with the OCPL Board prior to the termination of librarians.

87. Since Defendants' termination of Sue's employment on September 7, 2023, Sue has diligently sought other similar full-time employment.

88. However, despite her efforts, Sue has not been able to secure a comparable position to her job as Branch Services Manager at OCPL.

89. Sue had intended to work as Branch Services Manager at OCPL until she retired at 67.

90. As a result of Defendants' wrongful and retaliatory conduct, Sue has been forced to retire seven years earlier than she would have had she not been wrongfully terminated.

91. Furthermore, because Sue was forced to draw retirement seven years earlier than she otherwise would have had Defendants not wrongfully terminated her, she receives \$505.00 a month less in retirement benefits than had she worked through age 67.

92. Defendants have further retaliated against Sue for her protected opposition activity and protected speech by refusing to allow Sue to even serve as a volunteer for OCPL Friends of the Library organization.

93. As a result of Defendants' actions, Sue has suffered damages including but not limited to loss of income to age 67; loss of employee benefits such as health insurance, dental insurance, vision insurance, disability benefits, retirement contributions, and life insurance; diminished retirement benefits; humiliation; harm to her reputation; attorneys' fees; and costs.

FOR A FIRST CAUSE OF ACTION
(As to Defendants Oconee County and Oconee County Public Library)
(Discrimination in Violation of Title VII)

94. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating the allegations herein by reference.

95. Sue was qualified for her position as Branch Services Manager.

96. Title VII of the Civil Rights Act of 1964 prohibits employers from taking an adverse employment position against an employee as a result of a discriminatory animus

towards protected third persons with whom an individual associated.

97. Despite Sue's qualification for her position, Defendants terminated Sue because of her associated with a protected class.

98. Defendants' proffered reasons for terminating Sue are pretext for unlawful discrimination and retaliation.

99. As a direct result and consequence of Defendants' discrimination in violation of Title VII, Sue has suffered, and continues to suffer, lost wages, lost employment benefits, reputational harm, and other economic and non-economic damages.

100. As a result of Defendants' discriminatory conduct, Sue is entitled to all remedies available under Title VII, including but not limited to back pay, front pay, compensatory damages, punitive damages, reinstatement or other equitable relief, and reasonable attorneys' fees and costs.

FOR A SECOND CAUSE OF ACTION
(As to Defendants Oconee County and Oconee County Public Library)
(Retaliation in Violation of Title VII)

101. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating the allegations herein by reference.

102. Defendants terminated Sue's employment in retaliation for engaging in protected activity under Title VII, specifically opposing what she reasonably believed to be unlawful sex discrimination.

103. Title VII of the Civil Rights Act of 1964 prohibits employers from retaliating against employees who oppose practices that they reasonably believe to be discriminatory, including discrimination against LGBTQ+ individuals.

104. Sue engaged in protected activity under Title VII when she objected to

Defendants' removal of the Pride Month Book Display, an act she reasonably believed constituted sex-based discrimination, and when she wore LGBTQ+ affirming lanyards to visibly support LGBTQ+ patrons and employees.

105. Defendants unlawfully retaliated against Sue by terminating her employment.

106. Defendants' proffered reasons for terminating Sue are pretext for unlawful discrimination and retaliation.

107. As a direct result and consequence of these Defendants' retaliation in violation of Title VII, Sue has suffered, and continues to suffer, lost wages, lost employment benefits, reputational harm, and other economic and non-economic damages.

108. As a result of Defendants' retaliatory conduct, Sue is entitled to all remedies available under Title VII, including but not limited to back pay, front pay, compensatory damages, punitive damages, reinstatement or other equitable relief, and reasonable attorneys' fees and costs.

FOR A THIRD CAUSE OF ACTION
(As to All Defendants)
(Wrongful Discharge in Violation of Public Policy)

109. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating allegations herein by reference.

110. The South Carolina Legislature has expressed a clear public policy against terminating an employee for their political opinions or exercising political rights and privileges, including those guaranteed by the Constitution and laws of the United States and the Constitution and laws of South Carolina. S.C. Code Ann. § 16-17-560.

111. Violation of S.C. Code § 16-17-560 is an offense against public policy per statute.

112. Violating S.C. Code § 16-17-560 is an offense against public policy *per se* of statute.

113. Violating S.C. Code § 16-17-560 constitutes negligence per se and is evidence of recklessness and willfulness, requiring the submission of the issue of punitive damages to the jury.

114. Under S.C. Code § 16-17-560, any “person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than two years or both.”

115. It is a violation of public policy for an employer to discharge an employee for her political opinions or exercising political rights and privileges.

116. Sue, at all times relevant to this claim, carried out the functions of her job competently and in accordance with Defendants’ policies.

117. Sue’s wearing a rainbow lanyard in protest of Defendants’ position on LGBTQ+ matters constitutes “pure speech” under the First Amendment of the Constitution of the United States.

118. Defendants knowingly and willfully discharged Sue for her political opinion regarding the treatment of the LGBTQ+ community and the exercise of her rights and privileges afforded to her under the laws and Constitution of the United States and the laws and Constitution of South Carolina.

119. Therefore, Defendant’s termination of Sue is itself a violation of criminal law. *See Ludwick v. This Minute of Carolina, Inc.*, 287 S.C. 219, 225, 337 S.E.2d 213, 216

(1985).

120. As a result of Defendants' wrongful actions, Sue suffered damages, including lost wages and benefits associated with employment, as well as financial distress.

121. Sue is entitled to recover actual damages, consequential damages, punitive damages, and all other relief the Court deems just and proper.

FOR A FOURTH CAUSE OF ACTION
(Against Defendant Blair Hinson)
(42 U.S.C. § 1983- Retaliation in Violation of the First Amendment to the United States Constitution)

122. Sue repeats and realleges the allegations set forth herein in paragraphs 1 through 93 above, incorporating the allegations herein by reference.

123. Sue's right to speak freely about matters of public concern is protected by the First and Fourteenth Amendments to the United States Constitution.

124. Citizens have a vital interest in free and open discussion on issues of public interest and importance. *Connick v. Myers*, 461 U.S. 138, 103 S. Ct. 1684, 75 L. Ed. 2d 708 (1983).

125. It is a violation of the First and Fourteenth Amendments for public employers—including Defendant Hinson, acting under color of state law—to discipline or terminate an employee in retaliation for speaking out on matters of public concern. *Connick v. Myers*, 461 U.S. 138, 103 S. Ct. 1684, 75 L. Ed. 2d 708 (1983).

126. Sue spoke out against the banning of the Pride book display, an act she reasonably believed was discriminatory against LGBTQ+ individuals and harmful to the community.

127. Sue's speech and conduct addressed a matter of public concern, as it

implicated issues of civil rights and the general well-being of the community.

128. Defendant Hinson, acting under the color of state law, terminated Sue in response to her protected speech, in violation of her clearly established rights under the First and Fourteenth Amendments.

129. Defendant Hinson's retaliatory actions were undertaken willfully, knowingly, and in bad faith, with reckless disregard for Sue's constitutional rights—rights that any reasonable public employee in Hinson's position would have known were protected.

130. As a direct and proximate result of this constitutional violation, Sue has suffered and continues to suffer harm, including lost wages and benefits, emotional distress, reputational damage, and other economic and non-economic losses.

131. Upon information and belief, Defendant Hinson's actions were not only unconstitutional but also intentional, malicious, and in reckless disregard of Sue's protected rights.

132. Accordingly, Sue is entitled to recover compensatory damages for these injuries, as well as punitive damages against Defendant Hinson in his individual capacity, in an amount sufficient to deter similar unconstitutional conduct in the future.

133. Pursuant to 42 U.S.C. § 1983, "every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State... subjects... any citizen... to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured . . ."

134. Thus, Defendant Hinson is fully liable to Sue for her injuries resulting from his retaliation in violation of the First and Fourteenth Amendments.

135. Defendant Hinson is also liable for Sue's reasonable attorneys' fees and

costs. 42 U.S.C. § 1988.

WHEREFORE, having fully complained of Defendants, Sue respectfully requests that this action be tried by a jury and prays that judgment be awarded against Defendants as follows:

A. Enjoin Defendants from:

- a. Subjecting employees to discrimination and harassment based on sex; and
- b. Retaliating against employees who engage in activity protected under Title VII, the United States Constitution, the South Carolina Constitution; South Carolina statutory law; and South Carolina public policy;

B. Order Defendants to develop and implement appropriate and effective measures designed to prevent discrimination, harassment, and retaliation, including but limited to policies and training for employees and managers;

C. Order Defendants to develop appropriate and effective measures to receive complaints of discrimination, harassment, and retaliation, as well as a process for investigating such complaints;

D. Order Defendants to reinstate Sue;

E. Award Sue back pay in the amount of \$45,267.68 per year;

F. Award Sue front pay in the amount of \$45,267.68 per year through age 67;

G. Award Sue actual damages resulting from her loss of income; loss of employee benefits such as health insurance, dental insurance, vision insurance, disability benefits, retirement contributions to FICA and SC PEBA

retirement programs, and life insurance; and harm to her reputation to fully compensate her for injuries caused by Defendants' discriminatory, harassing, retaliatory, and unlawful conduct;

- H. Award Sue compensatory damages;
- I. Award Sue the statutory maximum in punitive damages under Title VII to punish Defendants for their egregious conduct and to deter similar actions in the future;
- J. Award Sue punitive damages under 42 U.S.C. § 1983 to punish Defendants for their egregious conduct and to deter similar actions in the future;
- K. Award Sue pre-judgment interest where recoverable;
- L. Grant Sue her reasonable attorney's fees and costs; and
- M. Award such other and further relief as this Court deems just and proper.

Respectfully submitted,

s/ Lydia Robins Hendrix
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Lydia Robins Hendrix (SC Bar No. 106334)
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ATTORNEYS FOR PLAINTIFF

Columbia, South Carolina

June 12, 2025

EXHIBIT 1

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
GREENVILLE OFFICE**

Sue Andrus,

Complainant,

vs.

Oconee County Public Library,

Respondent (Employer).

**CHARGE OF DISCRIMINATION
BASED ON SEX AND RETALIATION**

**SWORN STATEMENT OF SUSAN
ANDRUS**

I, Susan Andrus, pursuant to 28 U.S.C. § 1746, under penalty of perjury, hereby declare that the following testimony is true and correct of my own personal knowledge and belief:

1. My name is Susan Andrus, and I am the Charging Party. My mailing address is 238 Lakeside Dr., Walhalla, SC 29691.

2. I am a 59-year-old White female and a former employee of Oconee County Public Library ("OCPL"). I am not a member of the military.

3. OCPL's main branch is located at 501 W. South Broad St., Walhalla, SC 29691. Its phone number is (864) 638-4133.

4. OCPL is a public institution that serves all of Oconee County and assists members of the public of all ages to understand how to find, use, and evaluate information, make informed decisions, know their community, and satisfy curiosity.

5. I had worked for OCPL since 2017 as the Branch Services Manager.

6. At all relevant times, my job performance met or exceeded the reasonable expectations of my employer, and I was never subjected to any disciplinary action or write-ups.

7. I understand that the Civil Rights Act of 1964 protects employees from discrimination on the basis of sexual orientation and gender identity.

8. In or around April 2022, one of my coworkers—"C"—expressed to her fellow employees in a group chat that her child identified as transgender and was transitioning from male to female.

9. I responded and expressed support for my colleague "C" and her child's transition.

10. In response, my colleague Darcy Arnall, Children's Librarian at the Wallhala Branch, left the group chat.

11. Darcy also stopped talking to me other than for necessary work matters. Previously, she had been friendly with me and spoken to me socially.

12. Darcy also stopped talking to my colleague, "C," socially.

13. "C" and I realized that our colleagues, DJ, Leah, and Bethany also began avoiding us.

14. In June of 2022, the Walhalla branch had a Pride book display featuring LGBTQ+ topics and authors, as it historically had.

15. The Pride book display featured books with favorable reviews in professional library selection journals such as Library Journal, School Library Journal, and Kirkus Review.

16. A few patrons complained informally, but no formal complaints were made.

17. At that time, library director Blair Hinson defended the Pride display to patrons and defended LGBTQ+ book displays.

18. OCPL regularly had other potentially controversial displays in the adult book section, including a display of romance novels, frequently referred to as “bodice-rippers,” called “Dude, Where’s My Shirt?”

19. Neither Darcy nor any of the other OCPL staff complained about the non-LGBTQ oriented book displays.

20. In the spring of 2023, my colleague “M,” who was tasked with preparing the content of book displays, indicated that she was planning a Pride display to incorporate books to ensure inclusivity of all populations served by OCPL, including the LGBTQ+ population.

21. However, despite OCPL’s longstanding tradition of preparing Pride Month displays, on May 9, 2023, Blair barred staff from putting up the planned Pride Month display.

22. Blair indicated that he did not want to “deal” with the Pride display this year.

23. Over the course of May 15 to 18, I spoke openly about my concerns of Blair’s barring of the Pride book display at the circulation desk during the mornings when only staff were present.

24. I complained that discontinuing the Pride display would not only send the message to LGBTQ+ members of the community that they were not welcome at the library, but also that pulling the Pride display sent a message to both LGBTQ+ colleagues as well as “C” and another colleague – each who have transgender children – that their children and families were inferior.

25. I believed that banning the Pride book display resulted in unlawful

discrimination based on sexual orientation and gender identity.

26. My supervisor, Blair, was present while I complained of the unlawful discrimination.

27. I engaged in protected activity by opposing OCPL's unlawful discrimination based on sexual orientation and gender identity.

28. Around the second or third week of May, Darcy went to Blair's office and had a closed-door meeting.

29. Upon information and belief, Darcy complained to Blair that library staff, including myself and "C," were openly expressing concern about the lack of the Pride display and openly expressing support for the LGBTQ+ community.

30. On May 19, 2023, Blair sent an email regarding "displays, political discussions, etc.," discouraging any discussions regarding the Pride display or the library's messaging regarding the LGBTQ+ population.

31. I felt that OCPL's actions in eliminating the Pride book display were discriminatory against LGBTQ+ colleagues, my colleagues with LGBTQ+ children, and the LGBTQ+ population, at large.

32. I felt that OCPL's actions in eliminating the Pride book display and discouraging any discussion of the impact on those employees created a hostile work environment for any LGBTQ+ colleagues and colleagues with LGBTQ+ children.

33. On May 20, 2023, I wrote to Liz Kuemmerer, OCPL Board Chair, to voice my concerns about Blair banning the Pride book display and its impact on the community and my colleagues.

34. On May 22, 2023, Liz and I met to follow up on my email.

35. Concerned that OCPL's actions were harmful to both my colleagues and our library patrons, I made rainbow lanyards for several colleagues to use on their IDs.

36. I made the rainbow lanyards in protest and to show support for LGBTQ+ employees, family members of LGBTQ+ persons, and patrons looking for a safe space.

37. Approximately five OCPL employees, including myself, wore the rainbow lanyards to express our opposition to OCPL's position on LGBTQ+ issues.

38. Additionally, my colleague "C" wrote an email complaining about the Pride display removal.

39. Blair asked "C" into his office, where he further discouraged her from discussing Pride or the LGBTQ+ population.

40. Blair also raised trivial conduct issues of "C," such as "too much chatting" and "too much standing around at the circulation desk."

41. Despite being Blair's second-in-command at the library, Blair ceased most communication with me. Instead, he would speak with my colleagues below me in OCPL's organizational hierarchy about matters that he should have spoken about with me.

42. During the summer of 2023, I reached out to OCPL's Human Resources manager, Sheila Wald, to request Diversity, Equity, and Inclusion materials for our upcoming October in-service day.

43. Around the beginning of July, Darcy announced that she would be leaving the library, and her last day was July 28, 2023.

44. Upon information and belief, in her exit interview Darcy complained to Human Resources manager Sheila Wald about "C" and my advocacy for the Pride book display and the need for the library to be inclusive of the LGBTQ+ community.

45. Just a few weeks later, on September 7, 2023, Blair called "C" into his office and terminated her.

46. Approximately fifteen minutes after Blair terminated "C," he called me into his office and terminated me, as well.

47. At my grievance hearing, OCPL cited minor performance issues as justification for my termination.

48. I believe that the reasons OCPL offered for my termination are pretextual.

49. I believe that OCPL unlawfully terminated me in as retaliation for my protected activity of opposing unlawful sex discrimination and a hostile work environment based on sex in violation of Title VII of the Civil Rights Act of 1964 and South Carolina Human Affairs Law.

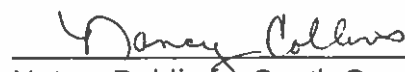
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on 11-28-2023.


Susan Andrus

SWORN to before me this:

28th day of Nov 2023.


Notary Public for South Carolina

My Commission Expires: 7-2-25

