



SOUTH CAROLINA DEPARTMENT OF AGRICULTURE

ETHICS POLICY

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE DEPARTMENT OF AGRICULTURE. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE DEPARTMENT OF AGRICULTURE RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. POLICY

This document sets forth the South Carolina Department of Agriculture (SCDA) Ethics Policy. Public employees of SCDA are subject to the provisions of the State Ethics, Government Accountability, and Campaign Reform Act, codified in Sections 8-13-100 through 8-15-1520 of the 1976 South Carolina Code of Laws, as Amended. Copies of the Act are available in the Division of State Human Resources, Legal Department, or from the State Ethics Commission.

II. STATE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT

The State Ethics, Government Accountability, and Campaign Reform Act were enacted in 1991 to restore public trust in governmental institutions and the political governmental process. The Act recognizes that public employment is a public trust and any effort to realize personal gain through official conduct is a violation of that trust. Violations of the rules of ethical conduct are investigated and disciplined where appropriate. The State Ethics, Government Accountability, and Campaign Reform Act apply to all public officials and public employees of the State and political subdivisions, with exception of members of the judiciary. The law:

1. Provides a code of conduct to prohibit public officials and employees from being involved in certain conflicts of interest;
2. Provides for the filing of Statements of Economic Interest by certain designated public employees and public officials;
3. Provides for advisory opinions to be issued on questions involving the State Ethics, Government Accountability, and Campaign Reform Act;
4. Provides for procedures for participation by citizens in the enforcement of the law; and
5. Provides for the State Ethics Commission to administer the law.

III. RULES OF CONDUCT

Employment at SCDA is a public trust and any effort to realize personal gain through official conduct is a violation of that trust. The rules of conduct, Sections 8-13-700 through 8-13-795 of the 1976 South Carolina Code of Laws, as Amended, should be consulted for specific information. The Rules of Conduct:

1. Prohibit employees from using their official position or office to obtain an economic interest for the employee or the employee's immediate family, an individual with whom the employee is associated, or a business with which the employee is associated;
2. Prohibit employees from giving or offering, soliciting, or receiving compensation to influence the action of public officials or employees;
3. Prohibits offering, soliciting, or receiving money in addition to that received by the employee in their official capacity for advice or assistance given in the course of their regular employment;
4. Prohibits the use or disclosure of confidential information for personal financial gain;
5. Prohibits employees from membership on or employment by a regulatory Commission or agency that regulates any business with which the employee is associated;
6. Provides for actions to be taken by employees where a decision would affect the employee's personal financial interest;
7. Prohibits employees from appearing before certain regulatory commissions; and
8. Calls attention to breaches of ethical standards.

IV. ADDITIONAL ETHICAL STANDARDS

In addition to the Rules of Conduct outlined in the State Ethics Reform Act, it shall be the duty of all public employees to observe the highest ethical principles in all official actions, whether specifically noted or mandated in this Statement, and to refrain from any course of conduct which might result in, or create the appearance of, a violation of the following ethical standards.

1. **Management Responsibility** - All department heads and supervisors shall display and promote ethical behavior within their applicable departments.
2. **Health and Safety** - Public employees shall comply with all SCDA policies and procedures relating to safety in the workplace. Safety violations and concerns shall be reported on a timely basis to a supervisor or the Human Resources Department.
3. **Respect and Fair Treatment** - Public employees shall treat all individuals fairly and with respect, regardless of their race, religion, national origin, culture, age, sex, disability, or any other factor.
4. **Harassment** - in any form will not be tolerated and will be subject to disciplinary action.
5. **Employee Privacy** - SCDA respects the privacy of its employees. Employee records will be used only as necessary for business needs. Employee information shall only be shared for business reasons consistent with applicable law.
6. **Responsible Use of SCDA Assets** - All public employees shall protect SCDA assets, such as equipment, supplies, cash, inventory, and information against misuse and/or misappropriation.
7. **Information Management** - All SCDA information which is considered to be confidential or sensitive in nature shall be adequately secured and safeguarded. Such information would include documents, files, and databases that may be kept on paper, electronically, or on film. Retention and destruction of such information shall be done in accordance with guidelines set by Records Management and in compliance with state laws and regulations.

8. **Use of E-mail and Internet** – SCDA has developed specific policies regarding employee use of SCDA e-mail, the Internet, while on SCDA time or using SCDA computers. All public employees shall comply with these policies. All data stored on the SCDA’s computers and networks, including email either received or sent is considered to be SCDA property and is not private, unless required as such by law.
9. **Compliance with applicable laws and regulations** - All public employees shall comply with all laws, regulations, and SCDA policies that are applicable to their departments.
10. **Other employment and business ownership** - A public employee shall not engage in any other employment unless such employment is approved by the Human Resources Department. Such employment shall not conflict with scheduled work hours (including overtime if required as part of the employee’s normal duties,) or the performance of SCDA duties. Employees shall not use SCDA time, supplies, property, information or other assets in the connection with other employment.

V. PENALTIES

Violation of the State Ethics, Government Accountability, and Campaign Reform Act is punishable by a fine up to \$10,000, up to 20 years imprisonment, or both. In addition to disciplinary action which may be taken by SCDA, the State Ethics Commission may recommend administrative or disciplinary action, impose oral or written warnings or reprimands, require civil penalties, require forfeiture of anything received, or refer the matter to the Attorney General for criminal prosecution.

VI. REPORTING (EMPLOYEE RESPONSIBILITY)

All SCDA employees are responsible for reporting ethics or compliance related issues. Employees have the right and responsibility to report any activity that appears to be improper, unethical or illegal. Employees also have an obligation to report suspected misconduct and violations.

VII. QUESTIONS AND INFORMATION

Any employee needing further information concerning the applicability of the State Ethics, Government Accountability, and Campaign Reform Act should contact the SCDA Human Resources Department or the State Ethics Commission.