



SOUTH CAROLINA DEPARTMENT OF AGRICULTURE

NEPOTISM POLICY

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY 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. SCOPE AND PURPOSE

To provide guidance to the South Carolina Department of Agriculture (SCDA) employees on the subject of nepotism in order to comply with the requirements of the Ethics, Governmental Accountability and Campaign Reform Act of 1991 and to promote a positive public image and harmonious working environment.

II. POLICY STATEMENT

It is the policy of SCDA to restrict the hiring of family members in accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 and to further restrict the hiring of relatives within the same office, program area, or the equivalent work unit.

In accordance with the Ethics, Governmental Accountability and Campaign Reform Act of 1991 (Ethics Act), no other supervisory employee of SCDA may cause the employment, appointment, promotion, transfer or advancement of a family member to a position in which the public employee supervises or manages. Employees may also not participate in an action relating to discipline of their family members.

III. DEFINITIONS

The Ethics Act defines family member as an individual who is (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, or grandchild; or (b) a member of the individual's immediate family. Immediate family is further defined as follows:

- A. A child residing in a public employee's household;
- B. A spouse of a public employee;
- C. An individual claimed by the public employee or other public employee's spouse as a dependent for income tax purposes.

Furthermore, for the purposes of this policy, the Department of Administration has defined relative as: spouse, parent, sibling, child, parent in-law, grandparent, grandchild, sibling in-law, grandparent in-law, step-grandchild, step-child, child in-law, niece, or nephew of the employee or a member of the employee's household. The agency recognizes common-law marriage and the relationships that are created as a result.

IV. DISCLOSURE

Employees are expected to disclose relationships covered by this policy to the Division Director whenever the relationships come into existence. Employees have up to 90 days after marriage to find employment in either a suitable unit within SCDA or outside the agency. An employee's failure to disclose such information can lead to discipline up to and including termination. Supervisors are cautioned not to recommend the hiring of an individual that result in violation of this policy.