



South Carolina
DEPARTMENT OF AGRICULTURE
HUMAN RESOURCES DEPARTMENT

1200 Senate Street, Wade Hampton Bldg 5th Floor, Columbia, SC 29201

Hugh E. Weathers, Commissioner

DISCLOSURE OF ARRESTS AND CONVICTIONS BY CURRENT EMPLOYEES 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 CONTENTS 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. ARREST

Employees arrested or charged by summons to appear for crimes covered by this policy, (all felonies; misdemeanors involving violence and theft; or any offense requiring one to register as a sex offender) or for a crime otherwise job-related (e.g., a DUI or DUS if driving is a job requirement), have a duty to notify their supervisor and the Director of Human Resources within five calendar days of the arrest or receipt of the summons. Employees classified as Deputy Commissioner or who report directly to the Commissioner must report all non-traffic violation arrests to the Commissioner of Agriculture within five calendar days of arrest or receipt of summons. Any employee arrested under circumstances involving an alleged violation of a criminal drug or alcohol beverage-related statute in the workplace, whether on or off site; in a state vehicle; or as part of any activity the South Carolina Department of Agriculture (SCDA) initiates or takes part in must notify his or her immediate supervisor within five calendar days of the arrest. An arrest, depending on the circumstances may be grounds for disciplinary actions or sanctions. After notification of any arrest, supervisors must report the arrest to the Human Resources Director. While an arrest is not a conviction, SCDA will determine any potential actions or consequences on a case by case basis.

II. CONVICTION

Current employees have a duty to immediately report a criminal conviction covered under this policy (all felonies; job-related crimes; misdemeanors involving violence and theft; or any offense requiring one to register as a sex offender) to their supervisor. Employees classified as Deputy Commissioner or who report directly to the Commissioner must report all non-traffic violation convictions to the Commissioner of Agriculture within five calendar days of conviction or receipt of summons. Any employee convicted of violating any federal, state, or local criminal drug or alcohol beverage-related statute in the workplace, whether on or off site; in a state vehicle; or as part of any activity SCDA initiates or takes part in must immediately notify their supervisor after such conviction. After notification of any conviction, supervisors must report the conviction to the Human Resources Director.

A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal, state or local court. The employee can add a statement pertaining to the conviction. Whether the conviction has an effect on employment status will be determined after consultation with appropriate personnel.