

19-701 GENERAL RULES

SCOPE AND PURPOSE

Human Resources Regulations Sections 19-700 through 19-720 are applicable to all agencies that are not specifically exempted by § 8-11-260 of the South Carolina Code of Laws.

19-701.01 EQUAL EMPLOYMENT OPPORTUNITY

The State of South Carolina is an equal employment opportunity employer.

19-701.02 CONSTRUCTION OF WORDS

All words in these Regulations referencing the masculine gender shall apply to females as well. All words in these Regulations referencing "written," "in writing," or similar language shall also apply to electronic documents.

19-701.03 STATE AND FEDERAL LAWS

These Regulations are in addition to the requirements of applicable State and federal laws.

19-701.04 AUDITS BY THE OFFICE OF HUMAN RESOURCES (OHR)

All information and documentation required by these Regulations are subject to audit by OHR.

19-701.05 CENTRAL HUMAN RESOURCES DATA SYSTEM

As required by § 8-11-230 of the South Carolina Code of Laws, OHR provides a central database to maintain human resources data on all employees. To maintain the integrity and completeness of the system, all agencies are required to submit appropriate information in a timely manner.

19-701.06 ETHICS ACT

The Ethics Act governs the employment of family members and conflicts of interest. For additional information consult the Ethics Act (§ 8-13-100 through § 8-13-1520 of the South Carolina Code of Laws), the Ethics Commission opinions, and the State Ethics Commission.

A. Employment of Family Members

No public official, public member, or public employee may cause the employment, appointment, promotion, reassignment, transfer, or advancement of a family member to a State or local office or position in which the public official, public member, or public employee supervises or manages. Family member means an individual who is (a) the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-

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in-law, grandparent, or grandchild, or (b) a member of the individual's immediate family. Immediate family is defined as follows:

1. A child residing in a candidate's, public official's, public member's, or public employee's household;
2. A spouse of a candidate, public official, public member, or public employee; or
3. An individual claimed by the candidate, public official, public member, or public employee or the candidate's, public official's, or public employee's spouse as a dependent for income tax purposes.

B. Conflict of Interest

No employee may accept any work or compensation that could be reasonably construed as a conflict of interest. Acceptance without proper prior approval of work assignment or compensation that is found to be a conflict of interest may be grounds for disciplinary action or termination. The propriety of an employment situation or compensation for services rendered shall be considered by all parties concerned. Counsel from the Office of the Attorney General or the State Ethics Commission may be necessary to make such determinations.

19-701.07 EMPLOYMENT OUTSIDE OF STATE GOVERNMENT

Agencies may adopt policies and procedures for the approval and regulation of jobs held by employees outside of State government. Such policies shall be in accordance with law and the policies and procedures of the Budget and Control Board. An agency may withdraw approval for such secondary employment for reasonable work-related issues.

19-701.08 SOLICITATION AND DISTRIBUTION

Solicitations and distributions by agency employees or outside individuals are generally prohibited on agency property during working hours. Each agency is responsible for enforcing this Regulation to minimize the disruption of agency business. For example, agencies may allow for fund raising activities by charitable organizations which are certified by the Secretary of State. Any fund raising activities must be approved by the agency head or his designee and conducted under agency supervision.

19-701.09 PILOT PROGRAMS TO CREATE INNOVATION IN STATE GOVERNMENT

Notwithstanding other provisions of law, the Budget and Control Board is authorized to enter into pilot programs with individual agencies or groups of agencies in order to create innovations in State government. The Budget and Control Board will monitor the findings and results of pilot programs to determine if legislative recommendations should be provided to the General Assembly.

19-701.10 FTE POSITIONS

An employee may not occupy more than one FTE position.