

**SOUTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

THE LANGUAGE USED IN THIS POLICY 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.

HR005.00 Solicitation and Distribution Policy and Guidelines

EFFECTIVE: October 13, 2008

APPLIES TO: All South Carolina Department of Health and Human Services (the Department) Workforce Members

POLICY

Solicitations and distributions by Department workforce members or outside individuals are generally prohibited on property leased or owned by the Department during working hours.

PURPOSE

The purpose of the policy is to implement Regulation 19-701.08 of the State Human Resources Regulations. This policy cancels and supersedes the Department's Solicitation Human Resources Policies and Procedures (12.00) issued October 1999.

5.01 Workforce Members

A. Workforce members of the Department may not engage in soliciting, collecting, or selling goods, funds, or services for any non-work related purpose during working hours, except under the following circumstances:

1. With advance approval from the Bureau Chief, workforce members may engage in solicitations for gifts, around the time of an event such as employee resignations, weddings, retirements, birthdays, baby showers, deaths and cases of particular hardship. However, such solicitation or distribution will be terminated if the solicitation or distribution results in unreasonable disruption of or material interference with the business

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activities of the Department or the daily work activity of its workforce members.

- B. Workforce members of the Department may not distribute or post literature, pamphlets or any other non-work related documents during working hours.
- C. Workforce members participating in a political campaign activity must not use Department equipment or property in any way. This includes but is not limited to fund raising activities for a campaign or candidate; distribution of political materials, brochures, signs and handouts intended to directly or indirectly coerce co-workers; using copy or computer equipment to produce campaign literature. Additionally, political activities must not take place during working hours on work property. Workforce members must comply with the Department's Political Activity Policy.

5.02 Non-Workforce Members

- A. Persons other than workforce members of the Department may not, at any time, engage in soliciting, collecting, selling, or distributing documents including, but not limited to literature, pamphlets, or the like for any purpose on the property of the Department unless formally authorized in writing by the Agency Director or his/her designee.

5.03 Charitable Drives

- A. A limited number of charitable drives or other approved solicitations (for example, approved drives through the Employee Activity Committee/CHAMPS Committee, drives associated with employee insurance benefits), blood drives, drives for food banks certified by the Secretary of State and approved by the Comptroller's General Office for payroll deductions, may be conducted under the supervision of the Department at the discretion of the Agency Director or his/her designee.
- B. Companies, organizations or individuals seeking to promote any program(s), product(s), or service(s) must comply with the Guidelines described in Section 5.04 of this Policy.

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5.04 Guidelines for Approved Solicitations by Entities Outside of the Department

- A. Companies, organizations and/or individuals must adhere to the following guidelines when offering a program, product, or service to any workforce member of the Department:
1. The date, time and place of approved meetings will be coordinated through the Office of Human Resources.
 2. Notice of meetings and/or literature will be posted through the Office of Human Resources.
 3. Materials and/or literature may be held in the Office of Human Resources for distribution to workforce members.

5.05 Responsibilities

- A. It is the responsibility of management within all areas to apply the Solicitation and Distribution Policy and Guidelines consistently to all types of solicitation and distribution.
- B. It is the responsibility of all workforce members to comply with the requirements of this policy.
- C. Any and all exceptions to this policy must be approved by the Agency Director or his/her designee.

5.06 Violations

- A. Workforce members of the Department who violate this policy or its associated guidelines are subject to disciplinary action in accordance with the Department's Progressive Discipline Policy and Procedures.

5.07 Explanatory Definitions

- A. Solicitation - Includes, but is not limited to, requesting money from employees either as charitable donations or to purchase goods or services, selling of goods and services, the collection of donations and the seeking of sponsorships.
- B. Distribution - Includes, but is not limited, to the dissemination of written or printed information or materials.
- C. Working hours - Includes, but is not limited, to any time that a workforce member

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- of the Department is required to spend in the actual performance of job duties.
- D. Agency Director's Designee - For the purposes of this policy only, the Agency Director's Designee is the Director of Human Resources.
 - E. Full Time Equivalent Employee - Any person in the service of an agency in a full time equivalent position who receives compensation from the agency and where the agency has the right to control and direct the employee in how the work is performed.
 - F. Office of Human Resources - An office of the Department responsible for personnel administration for full time equivalent employees, temporary grant employees, state temporary employees, interns, and volunteers.
 - G. Temporary Grant Employee – A full-time employee who does not occupy a full time equivalent position and is hired to fill a position specified in and funded by a federal grant, public charity grant, private foundation grant or research grant and who is not a covered employee. Temporary grant employees are expected to comply with the Department's policies and procedures, failure to do so will be cause for appropriate disciplinary action up to and including termination of employment.
 - H. Time-Limited Project Employee - A full-time or part-time employee who does not occupy a full time equivalent position who is hired to fill a position with time-limited project funding approved or authorized by the appropriate State authority, and who is not a covered employee. Time limited project employees are expected to comply with the Department's policies and procedures, failure to do so will be cause for appropriate disciplinary action up to and including termination of employment.