

## **IMPORTANT NOTICE**

**NOTHING CONTAINED IN THIS POLICY CREATES A CONTRACT RIGHT. CONSISTENT WITH SOUTH CAROLINA LAW, ALL EMPLOYEES ARE EMPLOYED "AT WILL" WHICH MEANS THAT THE EMPLOYEE HAS THE RIGHT TO TERMINATE HIS OR HER EMPLOYMENT AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE, AND THAT THE COMMISSION RETAINS THE SAME RIGHT. EXCEPTIONS TO THE POLICY THAT ALL EMPLOYEES ARE EMPLOYED "AT WILL" MAY BE MADE ONLY BY WRITTEN AGREEMENT SIGNED BY THE COMMISSION AND THE EMPLOYEE AND APPROVED BY VOTE OF THE BOARD.**



## **Employment of Relatives**

Human Resources  
Policy No. 070

Review Date: March 21, 2016  
Last Revised: June 15, 2015

### **Policy Statement**

Relatives, Household or Close Family members of current Richland County Recreation Commission employees may not be hired, promoted or reassigned to a position in which the current Richland County Recreation Commission employee directly supervises or manages. This policy is adopted to prevent the appearance of favoritism by a supervisor and to prevent potential safety, security and employee morale issues.

### **1. Definition of Relative, Household or Close Family Member:**

A relative, Household or Close Family member is an individual who is a spouse, parent, brother or sister (and their spouse or children), child (and their spouse), mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent or grandchild, first cousin, or step-parents or step-children of a current Richland County Recreation Commission employee. Additionally, unrelated associates residing together or otherwise engaged in an apparently romantic relationship (such as a domestic partner, co-habitant or significant other) are treated as being Close Family members for purposes of this policy.

## 2. Exceptions:

### 2.1 Recruitment - **DELETE**

In the extraordinary circumstance that the Director of Human Resources determines that the Richland County Recreation Commission is unable to recruit a qualified individual to fill a particular position, the Executive Director may grant an exception to this policy.

### 2.2 Marriage

If employees marry, become Household or Close Family members after employment and a conflict of interest or a management problem of supervision, safety, security or morale result (determined at the sole discretion of the Richland County Recreation Commission) or, if a reorganization creates such a conflict, reasonable time may be provided to resolve the matter. If resolution is not possible, the Richland County Recreation Commission may require one or both of the employees to transfer or resign.

### 2.3 Temporary Employment - **DELETE**

Temporary employees or temporary assignment are not within the purview of this policy.

## 3. South Carolina Ethics Act:

The Richland County Recreation Commission complies with all aspects of the South Carolina Ethics Act as it relates to employment of relatives in Section 8-13-750, and any other applicable Sections. See attached Addendum A.

## 4. Additional information

Additional information regarding the State Ethics Act including how to file a claim can be obtained online at [Ethics.sc.gov](http://Ethics.sc.gov)

ADOPTED BY RICHLAND COUNTY RECREATION COMMISSION BOARD

BOARD MEETING DATE: March 21, 2016  
(Date Approved)

APPROVED: \_\_\_\_\_



## **Employment of Relatives – Addendum A**

Human Resources  
Policy No. 070

Review Date: March 21, 2016  
Last Revised: June 15, 2015

### **1. South Carolina Ethics Act – January 1, 1992. SECTION 8-13-700**

(A) No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a public official's, public member's, or public employee's use that does not result in additional public expense.

(B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated.

### **2. South Carolina Ethics Act – October, 1991. SECTION 8-13-750 Employment, promotion, advancement, or discipline of a family member, of a public official, member, or employee.**

(A) No public official, public member, or public employee may cause or participate in the employment, appointment, promotion, 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.

(B) A public official, public member, or public employee may not participate in an action relating to the discipline of the public official's, public member's, or public employee's family member.

## David Stringer

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**To:** Burchstead, Michael  
**Subject:** RE: Nepotism Policy

**From:** Burchstead, Michael [<mailto:mburchstead@ethics.sc.gov>]  
**Sent:** Monday, February 22, 2016 3:39 PM  
**To:** David Stringer  
**Subject:** RE: Nepotism Policy

1. 8-13-700 addresses, among other things, situations in which public officials use their official position to obtain an economic interest for a family member. Causing a family member to be employed is an action that would fall within 8-13-700, and therefore it needs to be addressed in the policy.
2. 2.1 is an extraordinary circumstance exception that is not supported by the Ethics Act. This should be deleted.
3. 2.3 should be deleted as well. Temporary employees themselves may not be employees subject to the Ethics Act. However, if a person caused a family member to be hired as a temporary employee, this could still violate 8-13-700.

Thanks, and let me know if you have any questions.

Michael  
Michael R. Burchstead  
General Counsel  
SC State Ethics Commission  
5000 Thurmond Mall, Suite 250  
Columbia, SC 29201  
(803) 253-4192  
<http://ethics.sc.gov/>

**Richland County Recreation Commission**  
**Nepotism Policy Checklist/Immediate Family Member Worksheet**

Applicant Name / Immediate Family Member Name: \_\_\_\_\_  
Last First MI

\_\_\_\_\_  
Position

Are you responsible for the decision to hire, or the supervision, direction, evaluation, or salary recommendation of a member of your immediate family listed above?

☐ YES ☐ NO

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Is an immediate family member responsible for the decision to hire, or the supervision, direction, evaluation, or salary recommendation of a member of your immediate family? If so, please provide the name and relationship of the family member. ☐ YES ☐ NO

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

**I affirm that the above information is true and complete to the best of my knowledge. I accept responsibility for complying with RCRC policies on Nepotism. I assume responsibility for updating this disclosure in the event my situation changes relative to the Nepotism policy.**

Signature of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
After signing, please forward to the HR Department

I have reviewed the RCRC Nepotism Policy and the information provided and in my judgment:

- ☐ No nepotism exists
- ☐ A nepotism concern may exist, but does not appear significant
- ☐ A nepotism concern may exist and a written management plan (attached) should be drafted and reviewed regularly
- ☐ I recommend the following action:

\_\_\_\_\_  
Signature of HR: \_\_\_\_\_ Date: \_\_\_\_\_

I have reviewed the RCRC Nepotism Policy and the information provided and in my judgment:

- ☐ No nepotism exists
- ☐ A nepotism concern may exist, but does not appear significant
- ☐ A nepotism concern may exist and a written management plan (attached) should be drafted and reviewed regularly
- ☐ I recommend the following action:

\_\_\_\_\_  
Signature of COS: \_\_\_\_\_ Date: \_\_\_\_\_