

# Rules of Conduct for University Employees

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## The South Carolina Ethics Reform Act

For more information, contact  
USC's Office of the General Counsel at 803-777-7854.



# Rules of Conduct

- The South Carolina Ethics Reform Act creates rules of conduct that apply to all University employees.
  - No exceptions





# Why Is This Important?

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- Anyone can file a complaint with the South Carolina Ethics Commission.
- There is no filing fee.
- Ethics Commission is obligated to investigate.
- If an investigator determines there is probable cause of a violation, a hearing is held before the Ethics Commission.



# Why Is This Important?

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- Violations are prosecuted by the State Ethics Commission and the SC Attorney General's Office.
- Violators are subject to:
  - public sanction – oral or written warning or reprimand;
  - criminal sanctions – fines of \$5,000 to \$10,000 and/or up to 10 years in prison;
  - termination from employment.



# Personal Benefit

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- You may not use your employment to obtain an economic interest for:
  - yourself;
  - a member of your immediate family;
  - an individual with whom you are associated;
  - a business with which you are associated.



# Personal Benefit

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- “Economic interest” means
  - an interest distinct from that of the general public,
  - involving an economic benefit of \$50 or more.
  
- “Immediate Family” means:
  - child residing in your household;
  - spouse;
  - individual you claim as a dependent for income tax purposes



# Personal Benefit

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- Examples of prohibited activities would include:
  - Hiring your child to work for your department in the summer if he or she will be paid by University funds.
  - Requiring your students to make use of a textbook that you wrote if you will derive royalties from the sale of the textbook.
  - Requiring your academic unit to make use of a travel agency at which your spouse is employed if he or she will derive an economic interest from flights booked with the travel agency.



# Personal Benefit

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- Examples of prohibited activities (continued):
  - Selecting a commercial airline when traveling on University business solely to acquire frequent flier points when a cheaper or more efficient flight is available on a different airline.
  - Purchasing equipment with department funds from a vendor that employs your spouse if your spouse will derive an economic interest in the transaction.



# Personal Benefit

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- Employees are permitted to make incidental use of public materials and equipment which does not result in additional public expense.
  - Brief (local) telephone calls are okay.
  - Long distance telephone calls for non-University purposes are not okay.



# Intent to Influence



- You may not offer a public employee anything of value with the intent to influence him/her in the discharge of his/her official responsibilities.



# Influence on Official Duties

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- You may not ask for or accept anything of value for yourself or another person in return for being:
  - influenced in the discharge of your official responsibilities, or
  - induced to perform or fail to perform an act in violation of your official responsibilities.



# “Anything of Value”

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- “Anything of Value” means:
  - money or other item of pecuniary or compensatory worth;
  - a gift or tangible good;
  - a promise or offer of employment;
  - a loan or forgiveness of indebtedness;
  - an honorarium;
  - real property or an interest in real property;
  - a contract or agreement.



# “Anything of Value”

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- “Anything of Value” does not include:
  - promotional or marketing items offered to the general public on the same terms and conditions;
  - items of nominal value not to exceed \$10 containing or displaying promotional material;
  - a personalized plaque or trophy with a value that does not exceed \$150;
  - an honorary degree bestowed by a public or private university or college.



# Influence of Official Duties

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- Examples of prohibited activities would include:
  - Making an academic decision in exchange for receiving a personal benefit.
  - Accepting something of value from a prospective vendor.



# Speaking Engagements



- You may not receive anything of value for speaking before a public or private group in your official capacity.



# “Official Capacity”

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- “Official capacity” means:
  - the speaking engagement arises because of the position you hold with the University;
  - it involves matters that fall within the official responsibility of the University or you; and
  - the speaking engagement is a service the University would normally provide and for which you would be subject to expense reimbursement by the University.



# Speaking Engagements

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- If speaking in your official capacity, you may receive:
  - payment or reimbursement for actual expenses incurred;
  - a meal incidental to the speaking engagement if the meal is provided to all other persons participating in the event.



# Speaking in Unofficial Capacity

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- If the speaking engagement falls outside the definition of “official capacity,” you can be paid, but remember:
  - the speaking engagement must occur either (i) during non-University work hours, or (ii) you must take annual leave;
  - you may not use a University Travel Authorization;
  - University material or equipment may not be used.



# Nepotism

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- You may not cause the employment, appointment, promotion, transfer, or advancement of a family member to a position that you supervise or manage.
- You may not participate in an action relating to the discipline of your family member.



# Family Member

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- “Family member” means:
  - spouse, brother or sister;
  - child, son-in-law, daughter-in-law or grandchild;
  - parent, mother-in-law, father-in-law, or grandparent;
  - someone claimed by you or your spouse as a dependent for income tax purposes.



# Additional Payment For Services

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- You may not solicit or receive money in addition to your University compensation from a third party for advice or assistance given in the course of your employment.
  - Compensation for consulting services unrelated to your University responsibilities and performed during off-duty hours is allowed.



# Political Activities

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- You may not use government personnel, equipment, materials, or an office building in an election campaign.
  - Public facilities may be used for campaign purposes if they are available on similar terms to all candidates.
  - You may participate in an election campaign on your own time and on non-government premises.



# Resources

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South Carolina State Ethics Commission  
5000 Thurmond Mall, Suite 250  
Columbia, South Carolina 29201  
(803) 253-4192 (office)  
(803) 253-7539 (fax)



# Resources

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**USC Office of the General Counsel  
109 Osborne Administration Building  
Columbia, SC 29208  
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(803) 777-9500 (fax)**