

Spartanburg County Ethics Policy Statement

PURPOSE

The Spartanburg County Ethics Policy Statement is intended to establish standards of conduct expected of those persons who act for or on behalf of the public in the performance of all governmental duties and responsibilities. The standards established by this Statement are rules of reason and not rules of law, and they do not themselves seek to impose duties or obligations not otherwise required of County employees. Rather, the standards seek to recognize the expectations inherent in government service through public opinion and perception and to define the special responsibilities that arise through the representation and authority of the government. Likewise, the Statement does not attempt to exhaust the moral and ethical values that must guide government actions, nor does it displace professional knowledge, skill or judgment. No set of rules or standards can do so, and every person in government service must also be guided by personal conscience and the independent ideals of their profession, as well as the legal duties imposed upon them. These standards, therefore, should be interpreted with reference to the purposes of government service and the unique stature of public professionalism.

This Statement also serves to acknowledge the fact that all public employees, public officials and public members representing Spartanburg County are subject to the provisions of the State Ethics, Government Accountability, and Campaign Reform Act, as codified in Sections 8-13-100 through 8-15-1520 of the 1976 South Carolina Code of Laws. Copies of this Act are available at the State Ethics Commission's website, www.ethics.sc.gov.

Government service and public sector employment is a public trust, and those who serve the public as part of its government must perform and discharge their duties consistent with the highest moral principles, serving always the best interests of the County and its citizens.

Representative government is based solely upon the consent of the governed, under a system whereby every citizen has a right to expect those who govern or serve in the government to act, not for themselves, but for the governed as a whole. Since government can act only through its employees, it is ever incumbent upon them, therefore, to honor the public trust to instill confidence in government by their own integrity and conduct in all official actions.

It is, therefore, the purpose of this Ethics Policy Statement to:

1. Maintain high ethical standards in Spartanburg County Government;
2. Increase public confidence in the integrity of employees of Spartanburg County Government;
3. Assist employees in determining the proper course of action when faced with uncertainty in ethical obligations; and
4. Support the actions of the Government and its employees in situations of unwarranted criticism.

APPLICATION

This Ethics Policy Statement shall apply to the following representatives of Spartanburg County: (as defined by SC Code Section 8-13-100)

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1. Public employees - persons employed by the State, a county, a municipality, or a political subdivision;
2. Public officials - elected or appointed officials of the State, a county, a municipality, or a political subdivision thereof, including candidates for office;
3. Public members - individuals appointed to a noncompensated part-time position on a board, commission, or council.

The ethical standards, considerations and rules of conduct shall apply and be observed during the person's entire term of service with the County.

RULES OF CONDUCT

All public employees, public officials, and public members shall adhere to the Rules of Conduct, as outlined in the State Ethics Reform Act. Those standards include, but are not limited to, the following:

1. A public official, public member, or public employee shall not knowingly use his office, membership, or employment to obtain an economic interest for himself/herself, his/her immediate family, or an individual or business with which he/she is associated.
2. A public official, member, or employee, shall not receive, directly or indirectly, anything of value from any individual with the intent of influencing the official responsibilities of that official, member, or employee.
3. A public official, member, or employee, shall not receive anything of value for speaking before a public or private group in his/her official capacity. Meals which are incidental to the engagement may be accepted only where all participants of the engagement are entitled to the same meal.
4. A public official, member, or employee, shall not disclose confidential information gained as a result of his responsibility in order to obtain an economic interest for himself/herself, his/her immediate family, or an individual or business with which he/she is associated.
5. A public official, member, or employee, shall not serve as a member of a governmental regulatory agency that regulates any business with which he/she is associated.
6. A public official, member, or employee, shall not cause the employment, appointment, promotion, transfer, or advancement of a family member to a position in which the official, member, or employee supervises.
7. No person shall use government personnel, equipment, materials, or office space in an election campaign.

ADDITIONAL ETHICAL STANDARDS

In addition to the Rules of Conduct outlined in the State Ethics Reform Act, it shall be the duty of all public employees to observe the highest ethical principles in all official actions, whether specifically noted or mandated in this Statement, and to refrain from any course of conduct which might result in, or create the appearance of, a violation of the following ethical standards.

1. Management Responsibility
All department heads and supervisors shall display and promote ethical behavior within their applicable departments.
2. Health and Safety

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Public employees shall comply with all County policies and procedures relating to safety in the workplace. Safety violations and concerns shall be reported on a timely basis to a supervisor, the County's Risk Manager, or the County's anonymous hotline.

3. **Respect and Fair Treatment**
Public employees shall treat all individuals fairly and with respect, regardless of their race, religion, national origin, culture, age, sex, disability, or any other factor.
4. **Harassment**
Harassment in any form will not be tolerated and will be subject to disciplinary action.
5. **Employee Privacy**
Spartanburg County respects the privacy of its employees. Employee records will be used only as necessary for business needs. Employee information shall only be shared for business reasons consistent with applicable law.
6. **Responsible Use of County Assets**
All public employees shall protect County assets, such as equipment, supplies, cash, inventory, and information against misuse and/or misappropriation.
7. **Information Management**
All County information which is considered to be confidential or sensitive in nature shall be adequately secured and safeguarded. Such information would include documents, files, and databases that may be kept on paper, electronically, or on film. Retention and destruction of such information shall be done in accordance with guidelines set by Records Management and in compliance with state laws and regulations.
8. **Use of E-mail, Internet, and County Intranet**
Spartanburg County has developed specific policies regarding employee use of County e-mail, the Internet, and the County's Intranet while on County time or using County computers. All public employees shall comply with these policies. All data stored on County computers and networks, including email either received or sent is considered to be County property and is not private, unless required as such by law.
9. **Compliance with applicable laws and regulations**
All public employees shall comply with all laws, regulations, and County policies that are applicable to their departments.
10. **Environmental Issues**
All public employees shall be committed to acting responsibly with respect to environmental issues through involvement in County initiatives such as in-house recycling programs, county fuel consumption reduction programs, and energy consumption reduction efforts.
11. **Other employment and business ownership**
A public employee shall not engage in any other employment unless such employment is approved by the County Administrator or his/her designee. Such employment shall not conflict with scheduled work hours (including overtime if required as part of the employee's normal duties,) or the performance of County duties. Employees shall not use County time, supplies, property, information or other assets in the connection with other employment.
12. **County Seal**
Unless expressly authorized by the County Administrator, a public employee shall not use the official County seal for any private use.

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13. Personal Use

A public employee shall not use public funds, County facilities, property, personnel, or work time for personal use or political campaign activities.

14. Special Treatment

A public employee shall not grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

15. Soliciting or accepting gifts

A public employee shall not solicit or receive a gift or anything of value from any person or association, either directly or indirectly, in consideration of some action to be taken or not to be taken in the performance of the employee's duties. However, a public employee may solicit a gift from other County employees for charitable drives or events that have been approved by the County Administrator, when such solicitation has been made part of that employee's duties. All proceeds from such gifts received shall be turned over to the applicable charitable organization.

This section does not apply to:

- A. ceremonial awards, gifts, or honoraria under \$25, if the gift or award commemorates an employee's achievement;
- B. items of personal property, excluding cash, with a value less than of \$10;
- C. reasonable expenses for food, travel, lodging and scheduled entertainment given in return for an employee's participation as speaker at an event;
- D. any item that is solely informational or advertising in nature, such as books, pamphlets, periodicals, etc., provided the value of such item is less than \$25.

FINANCIAL AND CAMPAIGN DISCLOSURE REQUIREMENTS

The State Ethics Reform Act requires the following representatives of Spartanburg County to file a Statement of Economic Interests.

1. Any person appointed to fill the unexpired term of an elected official.
2. Any public official.
3. Any candidate for public office
4. The County Administrator.
5. The Chief Finance Official.
6. The Chief Purchasing Official.

The Statement of Economic Interests must be filed annually with the State Ethics Commission. Additional information regarding this disclosure can be found at www.ethics.sc.gov.

REPORTING PROCESS

All public employees have a responsibility for reporting concerns about potential unethical behavior. Such concerns and/or questions about whether actions are considered unethical or a violation of the State Ethics Reform Act and/or this Ethics Policy Statement can be reported using the County's anonymous, 24-hour hotline.

No person acting on behalf of the County shall

- a) dismiss, or threaten to dismiss, any employee;
- b) discipline, suspend, or threaten to discipline or suspend an employee;
- c) impose any penalty upon an employee; or
- d) intimidate or coerce an employee

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because the employee has acted in accordance with the requirements of this policy. It shall also be a violation of this policy for any informant to make a baseless allegation of unethical behavior that is made with reckless disregard for truth and that is intended to be disruptive or to cause harm to another individual. Any violation of this section will result in disciplinary action.

INVESTIGATIVE PROCEDURE

Allegations of violations of the State Ethics Reform Act and/or this Ethics Policy Statement shall be promptly investigated by a team of individuals designated by the County Administrator. The results of this team's investigation shall be communicated in writing to the County Administrator and/or other appropriate designated personnel. In instances where the investigation indicates possible violations of the State Ethics Reform Act, the investigative information shall be turned over to the State Ethics Commission.