



## SCDC POLICY/PROCEDURE

**NUMBER:** ADM-11.18

**TITLE:** SOLICITATION OF AGENCY EMPLOYEES

**ISSUE DATE:** *December 15, 2014*

**RESPONSIBLE AUTHORITY:** DIVISION OF HUMAN RESOURCES

**OPERATIONS MANUAL:** ADMINISTRATION

**SUPERSEDES:** ADM-11.18 (JANUARY 1, 2008); (JULY 1, 2004)

**RELEVANT SCDC FORMS/SUPPLIES:** *16-24*

**ACA/CAC STANDARDS:** NONE

**STATE/FEDERAL STATUTES:** Regulation 19-70**1.08**, South Carolina Human Resources *Division (HRD); South Carolina Code of Laws 8-11-80, Deduction for group life, hospital, and other insurance.*

**THE LANGUAGE USED IN THIS POLICY/PROCEDURE DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS POLICY/PROCEDURE DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY/PROCEDURE, 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.**

**PURPOSE:** To provide guidelines for the solicitation of Agency employees. *Solicitation will not be allowed for any product or service offered by the Public Employee Benefit Authority (PEBA) and will not be authorized for payroll deduction.*

**POLICY STATEMENT:** *Solicitations and distributions of information for or by Agency employees or outside individuals are generally prohibited on Agency property during working hours.* The SCDC will ensure that all *vendors and their representatives* requesting to introduce programs, services, or products and/or distribute materials to Agency employees receive prior approval from the Division Director of Human Resources/*designee*. All approved solicitation activities will be conducted in compliance with applicable State of South Carolina Human Resources *Division (HRD)* regulations *and South Carolina Procurement Code.*

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**SPECIFIC PROCEDURES:**

## 1. REQUESTS TO OFFER PROGRAM(S):

**1.1 *Vendors and their representatives*** seeking to promote any program(s), product(s), or service(s) must submit a written proposal, i.e., describing what the program will entail, etc., to the Division Director of Human Resources/*designee* for review **and approval**.

**1.2** The Division Director of Human Resources/*designee* may authorize the presentation of the program, service, or product if, in his/her opinion, it could be beneficial to a significant number of Agency employees. ***Requests from vendors and their representatives must include written proof that they have an approved payroll deduction code with the South Carolina Comptroller General's Office before any solicitation of Agency employees will be approved.***

***1.2.1 Vendors and their representatives may not offer products and/or programs that are offered under the Public Employee Benefit Authority (PEBA).***

**1.3** The Agency reserves the right to limit ***the number of*** representatives from the same ***vendor***. The SCDC will not assume responsibility as to the validity or reliability of the program, ***vendor***, product, service, and/or individual representative.

**2. AUTHORIZATION LETTERS:** Once a program, service, or product has been approved for presentation to Agency employees, the Division Director of Human Resources/*designee* will ***coordinate with the vendor to ensure that each representative who may be soliciting Agency employees has completed a "Service Provider/Non-Employee Identification Card Information" form (SCDC Form 16-24) for review and approval by the Division Director of Human Resources/designee.*** The Division Director of Human Resources or *designee* will provide ***those approved representatives*** with a letter of introduction ***which must be presented to the Human Resources Manager/Liaison when scheduling a site visit to solicit*** Agency employees. ***Any site visit by a vendor representative must be set up in advance with the*** appropriate Warden, Division Director, or ***Human Resources Manager/Liaison.***

**3. GUIDELINES FOR SOLICITING AGENCY EMPLOYEES:** ***Vendors*** and/or ***representatives*** must adhere to the following guidelines when offering any program, product, or service to any employee:

**3.1** Approved ***vendors*** and/or ***representatives*** may meet with or call on interested SCDC employees only at a time that does not conflict with normal working hours or security, and only in designated areas.

**3.2** The date, time, and place of approved meetings will be coordinated with the appropriate Warden, Division Director, or his/her *designee* (or the Benefits Supervisor for the Headquarters Complex) ***in advance***. Notice of meeting and/or literature will be posted on bulletin boards ***or provided to employees in advance***. Distribution of materials or literature must be coordinated ***and approved in advance*** through the Division of Human Resources.

***3.2.1 Each approved vendor must have all representatives who will conduct solicitation at the Agency complete SCDC Form 16-24, "Service Provider/Non-Employee Identification Card Information" form, as part of the approval process. This form is used to provide information necessary to complete a National Crime Information Center (NCIC) background check of the representative. Representatives who fail to complete the Service Provider/Non-Employee Identification Card Information form will not be approved for solicitation of Agency employees.***

**3.3 *Vendors and their representatives*** wishing to solicit the Agency **must** provide updated information on an annual basis within 30 days prior to the expiration date listed on current solicitation authorization letters. Solicitation authorization expires 12 months from the date of the solicitation authorization letter.

**3.4 *Vendors and any representatives*** approved to solicit on Agency property cannot provide gifts of any kind to employees.

*3.5 The Agency maintains the right to terminate approval for a vendor and/or representative to solicit employees on a worksite without notice.*

*3.6 Approved vendors and their representatives will not be allowed to solicit during PEBA Open Enrollment.*

*3.7 Vendors and their representatives who are not approved will not be allowed to solicit Agency Employees.*

**4. PAYROLL DEDUCTIONS:** *Employees must utilize MySCEmployee to authorize and manage their payroll deductions.*

*4.1 The Agency will not be responsible for notification to companies and/or individuals when an employee ceases employment, goes on leave without pay, or is suspended. It is the responsibility of the employee to communicate directly with the vendor regarding payment of premiums on a weekly, monthly, quarterly, semi-annual, or yearly basis.*

*4.2 Employees participating in solicitation activities in violation of this policy/procedure will be subject to corrective action under the provisions of SCDC Policy/Procedure ADM-11.04, "Employee Corrective Action."*

*4.3 Solicitation for purposes of this policy does not apply to those professional organizations such as the American Correctional Association (ACA), Correctional Peace Officers Foundation (CPOF), Southern States Correctional Association (SSCA), the South Carolina State Employees Association, the South Carolina Correctional Association, and charitable organizations such as Community Health Charities, United Way, and Special Olympics.*

#### **5. DEFINITIONS:**

**Solicitation** - *Refers to any product, service, or program to be offered to an employee by a vendor and/or their representatives for payroll deduction that is not a state group benefit.*

**Vendor** - *A company requesting to offer a product, service, or program that is not covered under state group benefits.*

**Representative** - *An individual who represents a vendor.*

**State Group Benefits** - *Benefits that are approved and offered to "all" covered employees of the State of South Carolina and are administered through the Public Employee Benefit Authority (PEBA).*

**SIGNATURE ON FILE**

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**s/Bryan P. Stirling, Director**

**ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.**