

South Dakota

State Employee Handbook

State of
South Dakota
EMPLOYEE ASSISTANCE PROGRAM

12/8/2022

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- - - - STATE OF SOUTH DAKOTA - - - -
OFFICE OF THE GOVERNOR
KRISTI L. NOEM | GOVERNOR

A Message from the Governor

Dear State of South Dakota Employees,

It is my distinct honor to serve as governor and work with my fellow state employees to make the State of South Dakota the best state for the next generation to raise a family, open a business, or visit.

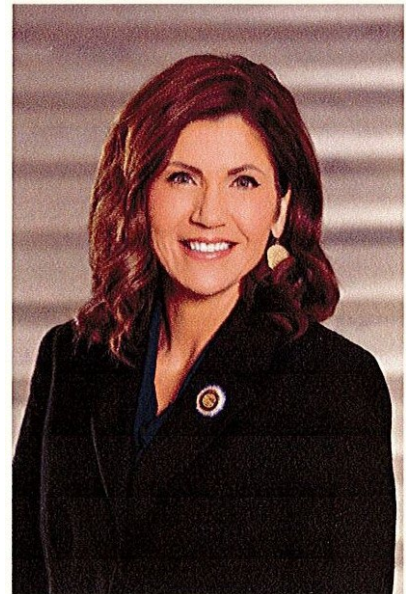
One of the goals of my administration is to be as transparent as possible because it builds confidence in our actions. The public's trust is essential to our efforts to better serve the citizens of South Dakota and achieve our goals.

Each and every state employee, regardless of title or pay grade, is responsible to help maintain that public trust. Any misappropriation of resources, conflict of interest, or other illegal activity undermines the confidence citizens have in our state government and overshadows the otherwise good work being done for society.

I ask that you read and abide by the personal responsibility policies in this handbook. Please report acts you believe violate these policies. If you see something, please say something. You may reach out to your agency's internal control officer, contact your human resources manager, or reach out to a member of my governor's staff directly.

Thank you in advance for representing yourself, your fellow State employees, and the citizens of South Dakota with integrity.

Sincerely,



Governor Kristi Noem

Personal Responsibility Basics

Accepting Gratuities, Rebates, Reward Points and Other Perquisites – State employees shall not accept gratuities, money, or any type of gift or service from a company that does business or that actively aspires to do business with the State in exchange for recommending or influencing the award of or the terms of a contract with the state. State employees shall not accumulate reward points or receive rebates, from any source, related to the purchase of goods or services from any vendor to be redeemed for personal use. Incidental benefits like frequent flier miles or lodging reward points accumulated for state-sponsored travel are allowed.

Anti-Harassment/Discrimination Policy – Harassment, discrimination or offensive behavior based on race, color, religion, national origin, sex, age, genetic info, disability or other legally protected status or characteristic will not be tolerated. An employee who has a complaint of harassment, discriminatory or offensive behavior by a supervisor, co-worker, or non-employee, should immediately notify his or her supervisor, a higher-level supervisor, the agency's human resource manager, or BHR's EEO officer at (605) 773-3148.

Conflict of Interest - Laws apply to state employees and officers who recommend approval, approve, award, or administer contracts or supervise someone who does and would derive a direct benefit from a contract. Deriving a direct benefit means the employee or officer or others with whom the person lives and commingles or has combined assets cannot:

- receive a benefit from a contract that is within that person's scope of duties while in office.
- derive contract benefit for a year after leaving office.
- enter into a contract with any state agency, except an employment contract, for a year after leaving office.

A waiver process exists for employees and officers.

Outside Employment – You may have outside employment provided that, in the opinion of your supervisor, there is not a conflict with your working hours, your work efficiency, or with the interests of state government. You must check with your supervisor before accepting other employment.

Use of Technology – Employees may not use State technology to engage in outside business interests, inappropriate, offensive, or illegal activities. Employees should not expect privacy or confidentiality when using State resources.

Disciplinary Action – Disciplinary action may include suspension without pay, reduction in salary, demotion, or termination. Just cause for disciplinary action includes, but is not limited to:

- violating statutes, rules, policy, directives, and work rules;
- sex offense, any crime involving illegal drugs, or a felony;
- insubordination;
- disrupting the efficiency or morale of the department;
- being under the influence of a controlled drug or alcohol at work;
- misuse or abuse of leave;
- engaging in outside or personal activities on State time, or using state property for non-government purposes;
- conduct reflecting unfavorably on state, destroys confidence in operations of services, or adversely affects public trust;
- negligence with state money or property;
- poor attendance;
- and discrimination and harassment.

Political Activity – State resources may not be utilized to influence the nomination or election of a candidate or the adoption or defeat of any ballot question. Civil service employees are not allowed to use official authority to influence or coerce political action by a person or group. Participation in campaigns or political management is allowed outside of work hours.

Workplace Fraud or Theft – State Laws and Administrative Rules establish control and aid in the prevention and detection of fraud against State property and apply to any actual or suspected employee fraud or theft. These laws include prohibition of the following:

- salaried officers retaining money received by theft
- dual salaries for state employees (limited exceptions)
- dual compensation for state duties
- outside employment without proper approval
- negligence with money or other State property belonging to anyone receiving services from the State
- attempt to steal or stealing from anyone receiving services from the State Employees who suspect fraud, theft should report it to their supervisor or the attorney general's office immediately.

Please report potential violations of these policies to your supervisor, department's internal control office, or Human Resources Manager.

Workplace Safety Policy

It is the policy of the State of South Dakota to promote a safe environment for its employees. The State is committed to working with our employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

Violence, threats, harassment, intimidation, and other disruptive behavior that affect the working environment will not be tolerated. All reports of such incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, expressions or any other behavior that communicates a direct or indirect threat of physical harm or damage to state or personal property, either on duty or off-duty. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

All employees shall cooperate to implement this policy effectively and maintain a safe working environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you observe or experience such behavior by any state employee on or off state premises, report it immediately to a supervisor or manager. Supervisors and managers who receive such reports shall contact the agency human resource manager or the Bureau of Human Resources at 605.773.3148.

Severe threats or assaults that require immediate attention shall be reported to police by calling 911.

Risk Management

A part of the Bureau of Administration, the Office of Risk Management focuses on protecting the state's assets and resources by identifying exposures to loss and providing alternative methods to finance, transfer, reduce, or eliminate those losses. The office provides the following services: developing safety and loss control programs, conducting loss control audits, educating through seminars and assistance information, and negotiating insurance coverages.

Each agency and institution has a risk management contact and a loss control committee to direct risk management efforts. Requests for training and other technical assistance from the Office of Risk Management are made by the contact.

Managed by the state risk manager, the Public Entity Pool for Liability (PEPL) Fund is a funded self-insurance program which provides coverage for general liability, law enforcement liability, public officials' errors and omissions liability, automobile liability, and some medical malpractice liability.

The coverage extends to all current and former employees and elected and appointed officers of the state and applies to any accident, act, error, omission or event during coverage period which results in damages and arises within the scope of the employee's duties for the state.

When state employees are driving state vehicles on state business, they are covered by workers' compensation. Non-state employees who are on official business for the state are covered by automobile liability through the PEPL Fund. Liability to other persons for bodily injury or property damage due to negligence in operating state vehicles is also covered through PEPL. Belongings in the vehicle are not insured by the state. When employees use their personal vehicles, their automobile insurance policy provides coverage for physical damage, loss, or liability. Both the workers' compensation and personal property coverages are the same as when operating a state vehicle. In situations where the loss exceeds personal policy limits, the state will cover the excess liability under certain terms of the PEPL agreement.

State employees are expected to promptly and properly report accidents, incidents, unsafe conditions, as well as claims made against the State of South Dakota. All accidents involving a fatality, serious bodily injury, or serious property damage should immediately be reported to Claims Associates, Inc., the state's claims adjusting service, at their 24-hour emergency number, 1.888.430.2249. All accident reporting information is located in the glove compartment or other convenient place in every state vehicle. If you have any questions regarding the above information, please contact the Office of Risk Management at 605.773.5879.