SUMMARY OF SOUTH CAROLINA WHISTLEBLOWER ACT
(S.C. CODE § 8-27-10 ET. SEQ.)

Employee Whistleblower Protections:

No public body may dismiss, suspend from employment, demote, or decrease the compensation of an employee of a public body because the employee files a report with an appropriate authority of wrongdoing.

Wrongdoing defined:

"Wrongdoing" means action by a public body which results in substantial abuse, misuse, destruction, or loss of substantial public funds or public resources. "Wrongdoing" also includes an allegation that a public employee has intentionally violated federal or state statutory law or regulations or other political subdivision ordinances or regulations or a code of ethics, which violation is not merely technical or of a minimum nature.

Appropriate Authority defined:

"Appropriate authority" means, respectively, the public body that employs the person making the report; or a federal, state, or local governmental body, agency, or organization having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or ethics, or wrongdoing. If a report is made to an entity other than the public body employing the person making the report, the employing public body must be notified as soon as practicable by the entity that received the report. The term includes, but it is not limited to, the South Carolina Law Enforcement Division, the Solicitor's Office, the State Ethics Commission, the State Auditor, the Legislative Audit Council, and the Office of Attorney General.

Process to report wrongdoing:

If an employee has knowledge of, or a concern about any wrongdoing, the employee should submit a report to ORS via the ORS Human Resources Department and/or the Executive Director or other appropriate authority that describes the nature of the wrongdoing and the date or dates on which the alleged wrongdoing occurred. To be afforded employee whistleblower protections, the employee submitting the report must identify himself or herself by name. The report may be written or oral and must be submitted within 180 days of the date the reporting employee first learns of the alleged wrongdoing. A report may also mean sworn testimony regardless of when the wrongdoing allegedly occurred given to any standing committee, subcommittee of a standing committee, oversight committee, or study committee of the Senate or the House of Representatives.

Insofar as possible, the anonymity of the whistleblower will be maintained. However, a whistleblower's identity may have to be disclosed, in the discretion of ORS, to conduct a thorough investigation, to comply with the law, or to provide fair procedural review for accused individuals.

Whistleblower responsibilities:

The whistleblower must exercise sound judgment to avoid making baseless allegations. If the appropriate authority determines the employee's report is unfounded, or amounts to a mere technical violation, and is not made in good faith, the public body may take disciplinary action including termination.

This summary is intended to satisfy the requirements of S.C. Code Ann. § 8-27-60.