

1.5.A.3 Pheasantland Industries Sales to State Employees

I Policy Index:



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Replaces Policy: 5A-8
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Affected Units: All Units
Effective Date: 01/04/2019
Scheduled Revision Date: December 2019
Revision Number: 17
Office of Primary Responsibility: DOC Administration

II Policy:

Pheasantland Industries may sell products and/or services to employees of the State of South Dakota, pursuant to Chapter 24-7 and SDCL § 24-7-16.

III Definitions:

Pheasantland Industries:

Department of Corrections (DOC) owned and operated industries, in accordance with South Dakota codified law. Industries employ inmates and staff to provide products and services, which are offered for sale to eligible government agencies and subdivisions thereof, nonprofit organizations and individuals, pursuant to Chapter 24-7.

IV Procedure:

1. Pheasantland Industries Shops:

- A. Pheasantland Industries consist of License Plate Shop, Cabinet Shop, Upholstery Shop, Print Shop and Bindery Shop, Braille Shop, Carpentry Shop, Sign Shop, Machine Shop, Garment Shop and Laser Engraving.
 - 1. Specialty vehicle license plates may be manufactured in limited situations by the License Plate Shop at the request of the Governor, Secretary of Corrections, Secretary of Tourism, Secretary of Economic Development or the Director of Pheasantland Industries and are not offered for sale to individual state employees.

2. Arrangements with Pheasantland Industries:

- A. Employees of the State of South Dakota seeking to purchase Pheasantland products or services may contact Pheasantland Industries directly. Employees are not required to route requests for products or services through the DOC.
 - 1. Arrangements for products must be made before any work is started.
 - 2. A written work order will be completed by Pheasantland Industries specifying the type of work that will be completed and the estimated cost of providing the product or service.

- B. Employees of the State of South Dakota purchasing goods or services from Pheasantland Industries must sign a *State Employee Statement For Purchase* form (See [Attachment 1](#)). The form shall include the following:
 - 1. Acknowledgement the service/product is intended for the original purchaser of the product or service and is not requested on the behalf of another person or entity.
 - a. Employees may not re-sell products or services purchased directly from Pheasantland Industries to another person or entity for a period of twelve (12) months from the date the product or service was received/transferred by sale to the employee.
- C. The Director of Pheasantland Industries will retain the original *State Employee Statement For Purchase* (See [Attachment 1](#)) for one (1) year from the date the agreement is signed by the state employee. Statements may be destroyed one (1) year after the date the statement was signed by the employee.

3. Payment for Products and/or Services:

- A. Certain products and services must be paid for in advance, based on the predetermined quote issued by Pheasantland Industries or authorized representative.
- B. Products not picked up at the facility may be shipped for additional costs and fees. Arrangements to pick up the product must be made directly with Pheasantland.
- C. Products and services produced at the request of employee will not detract from or adversely delay governmental work orders for products or services.
- D. Employees will be offered products and/or services from Pheasantland Industries at the same price and rate offered to other customers.

4. Inappropriate Business Dealings:

- A. Inappropriate business dealings or conflict of interest between a state employee and Pheasantland Industries will be reported to DOC Administration by the Director of Pheasantland Industries.
- B. Employees of the DOC may purchase Prison Industry produced products or services in accordance with approved Prison Industry procedures, consistent with this policy and DOC policy 1.1.C.1 [Staff Code of Ethics](#).

V Related Directives:

SDCL § [24-7-16](#).

DOC policy 1.1.C.1 [Staff Code of Ethics](#)

VI Revision Log:

April 2003: Revised definition. Added B.1. under Pheasantland Industries Shops. Revised section on Inappropriate Business Dealings.

November 2004: Revised the policy statement. Added reference to SDCL § 24-7-16.

November 2005: Changed the Secretary of Tourism and State Development to the Secretary of Tourism & Economic Development. Added a reference to the Code of Ethics.

January 2007: Revised the policy statement. Added the term “eligible employees” throughout the policy.

January 2008: Minor style/format changes.

December 2008: **Revised** formatting of policy and attachment in accordance with DOC policy 1.1. A.2. **Added** statement about personal use in ss (B) and **added** Note within Inappropriate Business Dealings.

December 2009: **Replaced** Non-Public with Public in Section I. **Revised** ss (B of Arrangements with Pheasantland Industries) to reflect actual title of Attachment. **Added** hyperlinks.

October 2010: **Revised** formatting of Section I. **Revised** list of shops within ss (A of Pheasantland Industries Shops). **Deleted** "eligible" as it referenced employees and **replaced** goods with products throughout policy. **Revised** policy statement to state Pheasantland Industries may sell products/services to state employees based on pre-determined advertised prices. **Added** new ss (A of Pheasantland Industries Shops) to list the various shops providing services/products. **Added** new ss (D within Payment for Products and/or Services) regarding employees may purchase items at the same

price/same rate as offered to any authorized customer. **Deleted** reference to DOC or any of its divisions or institutions and for personal use within ss (B) and **deleted** Note stating that does not prohibit the purchase of products from the DOC for use at work or for use at state related functions/events within (Note of B) both within (Inappropriate Business Dealings).

October 2011: **Added** "may" and "products and/or" and "federal government, state governments and subdivisions thereof, and to individuals pursuant to SDCL Chapter 24-7." to definition of Pheasantland Industries. **Added** "by the state employee of Pheasantland Industry shall be" and "and not requested on the behalf of another." to Section 2 B. 1. **Deleted** "The work being done will not be transferred" and **Replaced** with "Employees of the State of South Dakota will not re-sell goods, manufactured products, services or repairs purchased by the employee directly from Pheasantland Industries." to Section 2 B. 2. **Added** C. to Section 2. **Deleted** "a given quotation" and **Replaced** with "the predetermined quote" to Section 3 A. **Deleted** "done" and **Replaced** with "provided" to Section 3 B.

March 2012: **Reviewed** with no changes.

January 2013: **Reviewed** with no changes.

November 2013: **Reviewed** with no changes.

December 2014: **Reviewed** with no changes.

December 2015: **Added** "by the Director of Pheasantland Industries" in Section 4 A.

December 2016: **Added** B to Section 4.

December 2017: Minor grammar and sentence structure revisions.

December 2018: **Reviewed with no changes.**

Denny Kaemingk (original signature on file)

Denny Kaemingk, Secretary of Corrections

01/04/2019

Date

Attachment 1: State Employee Statement for Purchase

The *State Employee Statement for Purchase* form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\South Dakota State Employee Statement.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: State Employee Statement for Purchase Please refer to DOC policy 1.5.A.3 Pheasantland Industries Sales to State Employees
STATE EMPLOYEE STATEMENT FOR PURCHASE <i>For Purchase of Products or Services from Pheasantland Industries</i>	
The work I am requesting from Pheasantland Industries is for my own personal use. I will not transfer any products I receive as a result of this work to another person or entity for a period of twelve (12) months.	
Name	Department
Signature	Date
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