

## VENDING MACHINES IN STATE OFFICES

### Policy ES-08

#### PURPOSE

It is the policy of the state of South Dakota that state employees and state employee groups are not allowed to make profits on merchandise sold from vending machines located in state-owned or leased buildings. Qualified blind vendors may be provided opportunity to operate vending machines in state-owned or leased buildings under the authority of the executive branch of state government. This policy does not pertain to cafeterias or coffee shops in state buildings that are operated by private vendors or qualified blind vendors.

#### BACKGROUND

As authorized by the Federal Randolph-Sheppard Act, the Division of Service to the Blind and Visually Impaired (SBVI) in the Department of Human Services is the official State Licensing Authority in the State of South Dakota. SBVI has assisted in the establishment of successful cafeteria and vending machine operations in several state buildings in South Dakota and these sites allow state citizens who are blind to be competitively employed.

#### POLICY REQUIREMENTS

- A. The Bureau of Administration (for space on the Pierre Capitol Complex) or the Department Secretary (for state-owned or leased space outside the Pierre Capitol Complex) may authorize SBVI to determine whether a qualified blind vendor is available to operate vending machine services in a state-owned or leased building.
- B. The State of South Dakota restricts state employees and state employee groups from operating vending machines.
- C. Office coffee/pop funds are allowed small profits only to be used for purchase/replacement of a coffee pot, supplies and small miscellaneous expense allowances. Office coffee/pop funds are not allowed to operate vending machines.
- D. All current contracts with private vending companies shall continue to be honored until such time as the private vending company is no longer interested in continuing the vending machine service or until the Bureau of Administration or the Department Secretary is dissatisfied with the service of the respective private vendor. At the time any contract for vending in a state building is available under these conditions, the Bureau of Administration or the Department Secretary may provide SBVI the opportunity to determine whether a qualified blind vendor is available to provide the service in that building. Once SBVI is notified, they will have 10 working days to determine if a blind vendor is available to provide vending machine services for that building.

- E. The Bureau of Administration or the Department Secretary may offer the SBVI vending machine services in newly leased space or new state buildings.
- F. If it is determined by SBVI that it is not feasible to establish a qualified blind vendor in the state building, the Bureau of Administration or the Department Secretary may offer the vending machine contract to a private vendor from the local area.
- G. This policy does not apply to state agencies that operate vending machine services as a training opportunity to individuals with disabilities and realize no profit from these vending machine operations. (An example of this is the Goal Achievement Program at the Human Services Center).

#### **POLICY INDEX**

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| <b>Scope:</b>                            | Statewide                |
| <b>Replaces Policy:</b>                  | ES-97-1                  |
| <b>Effective Date:</b>                   | March 1997               |
| <b>Supersedes Version Written:</b>       |                          |
| <b>Office of Primary Responsibility:</b> | Bureau of Administration |

#### **REVISION LOG**