

EMPLOYEE SERVICES

Directive - 0527



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Established: 02/18/2015

POLITICAL ACTIVITIES – WHAT IS ACCEPTABLE/ NOT ACCEPTABLE

Scope: This Directive applies to all City of Jacksonville departments including City Council, Courts, the Constitutional Offices, and departments that fall under boards or commissions.

During elections, citizens have an opportunity to exercise rights as Americans to participate in the democratic process. It is the policy of the City of Jacksonville to recognize and honor employees' rights to participate in the political process. Employees are encouraged to express their opinions on any issue or candidacy or participate in any political campaign in accordance with Civil Service and Personnel Rules and Regulations, Rule 11, Chapter 350 of the Ordinance Code and the City's Code of Ethics under Section 602.1206 of the Ordinance Code. However, as public employees, certain restrictions apply regarding political activities.

Sections 350.301 and 350.302 of the Municipal Ordinance Code place restrictions on campaigning by City employees during work hours. It is unlawful and a class C offense for an officer or employee of the City or an independent agency to take any active part in political management or in political campaigns during work hours. No leaves of absence, excluding previously accumulated vacation leaves, shall be granted to officers or employees for the purpose of participating in a political campaign.

All employees have a right to vote and may take time to vote on election-day in accordance with the applicable collective bargaining agreement or employment plan.

Employees who have accrued leave who plan to engage in political activities may do so while on leave. Leave should be requested through the normal process.

In general, as a city employee, you may:

- Participate in any political campaign during off-duty hours.
- Vote and express personal opinions on a political topic or candidate.
- Wear campaign buttons or campaign attire (e.g. polo shirts) during off-duty hours away from the place of work.
- Display political bumper stickers on personal vehicles, except when the use of your vehicle is required as a condition of employment and/or if you receive mileage reimbursement from the city.

However, as a city employee, you may not:

- Participate in a political campaign or discuss political issues while on duty or during any time you are being paid to perform services for the City of Jacksonville.
- Wear campaign buttons or campaign attire while on duty, or at the place of work.
- While on duty or in a city issued uniform, request, in person, that any individual contribute any time, money or other thing of value to any candidate, political party or committee of continuous existence.
- While on duty or in a city issued uniform, solicit, in person, support or votes for any candidate, party or public measure.
- Take an active part in the management of a political campaign while on duty.
- Use any city property, including but not limited to, city issued cell phone, computers, faxes, e-mail systems or office phones for any political purpose other than official job related functions.
- Make, solicit or knowingly accept any campaign contribution in a building owned by the city or an independent agency (Note: this prohibition is not applicable if the building is specifically rented or reserved for purposes of holding a campaign fundraiser).
- Post campaign material in your work cubicle (s. 350.304, *Ordinance Code*, prohibits the placement of political signs or advertisements on public property).
- Except for legal and authorized union activity, a superior of a civil service employee may not request a civil service employee to contribute any time, money or other thing of value to any candidate, political party or committee of continuous existence; solicit, in person, support or votes for any candidate, party or public measure; take an active part in the management of a political campaign.
- Employees governed by the Federal Hatch Act (*those employees whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a federal agency*) may not be candidates for public office in a partisan election; use official authority or influence to interfere with or affect the results of an election or nomination; or directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes. If you are an employee subject to the Hatch Act, please note that further restrictions apply to you. For more information (including frequently asked questions), please see <https://osc.gov/Pages/HatchAct.aspx>.

If a political candidate visits your work station, he/she should be treated as if he/she was a private citizen. Specifically, if you would allow a private citizen to come into your workplace, you should allow the candidate and vice versa.

The above information is provided to you as general guidance; however, it is difficult to summarize permitted activities for various types of employees. For example, there are different and more restrictive requirements applicable to those persons characterized as an "election worker." Therefore, if you are uncertain about a proposed activity, please check with your supervisor or contact the city's Labor Relations office at LaborRelations@coj.net. If you believe that an ethical violation has occurred, contact the Ethics Office at 630-1476.

Also, if, as a city employee, you are considering running for an elective office, you are advised to contact the Supervisor of Elections at 630-1414 for additional guidance that may pertain to your particular situation.

Listed below are some examples of frequently asked questions that you may find useful.

FREQUENTLY ASKED QUESTIONS

Q. I receive a call on my work phone asking for my support of a particular candidate. What should I do?

A. If you choose to take the call, offer your private phone number for contact when off-duty.

Q. I would like to distribute a candidate's political bumper stickers to my co-workers. How can I do this?

A. You may do so when you are off-duty, not on city property, and not in uniform (if applicable).

Q. Are political activities, such as seeking support for my candidate, acceptable during my established break and lunch periods?

A. Breaks are considered paid work periods and therefore no activity is permissible. You may engage in political activities during an unpaid lunch break (because you would then be off-duty), and as long as you are off city property and not in uniform.

Q. I received an e-mail on my city computer from a political organization asking for my support. What should I do?

A. If you choose to consider the e-mail, forward the e-mail to your personal e-mail account for viewing when off duty.

Q. Can I wear a City badge at night when I am working on a campaign?

A. NO. Remove anything identifying you as a city employee.

Q. Can I wear clothing in a campaign that looks like a city uniform?

A. You may not take an active part in political management or campaigns while in uniform. However, you may appear in uniform in promotional materials so long as the production of those materials does not occur during on-duty hours;

Q. Can I bring campaign items into my work area?

A. No. No stickers, flyers, buttons, etc. If you see some in the work area, the person should be immediately told to take them to their car.

Q. Can I decorate my car with campaign stickers/wraps, etc.?

A. Yes, even if it is parked in a city owned parking space.

Q. What if the campaign calls me with an emergency during my duty hours?

A. You will be required to take leave time to attend to the matter.

Q. Can candidates visit city offices to understand the function of the office?

A. Yes. Treat them just like any other citizen. If you want to do one group orientation for candidates, that is better than showing favorite or special treatment to just one candidate. Candidates can take part in any regular tours you do for citizens.

Q. I received a blast email from a candidate asking for financial contributions, what should I do?

A. This is not allowed; forward the email to the Office of General Counsel or the Supervisor of Elections so the campaign can be trained on the law.

Q. Can pamphlets on a campaign be left on City property?

A. No

Q. Is it OK to give someone (either in person or a caller) information about who to contact for a particular campaign?

A. No. Direct them to the Supervisor of Elections.

Q. What if you bring in something (money, brochures) for a campaign into City offices by mistake?

A. As soon as you discover it, leave immediately and put it in your car.

Q. Can any campaign activity take place on city property?

A. In Senior Citizen Centers (check for their specific rules) or in rooms that are open for all citizens to conduct activities in (Library meeting rooms, etc.) or that can be rented by any group if the campaign has rented or reserved that space for a campaign purpose.

Q. What could happen if I do not abide by the rules and law?A. Penalties can include civil penalties, criminal charges, and/or disciplinary actions in accordance with established disciplinary procedures.