

CAMPAIGNING AT WORK

GENERAL PRINCIPLE: DO NOT PARTICIPATE IN A POLITICAL CAMPAIGN WHILE ON DUTY.

Employees are encouraged to express their opinions and participate in political campaigns in accordance with Civil Service and Personnel Rules and Regulations, Rule 11, Chapter 350 of the Ordinance Code, and Employee Services Directive - 0527. However, as public employees, certain restrictions apply regarding political activities.

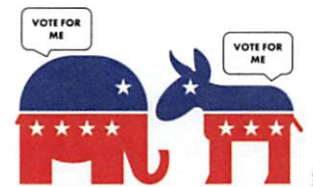
In simple terms, employees may not campaign during work hours or on City property. Employees should be aware that perception matters, so employees should not give the appearance that they are campaigning on work time or on City property (Sections 350.301 to 350.305 of the Municipal Ordinance Code).

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 may engage in political activities while on approved leave. Leave should be requested through the normal process.

Penalties for noncompliance can include civil penalties and/or disciplinary actions in accordance with established disciplinary procedures.

See *Chapter 350.301 to 350.305*



HIGHLIGHTS

- DO NOT campaign during City time or City hours, including breaks.**
- DO NOT display campaign related materials in your office or in hallways.**
- DO NOT campaign on City property.**
- DO NOT use your City email address or equipment to campaign.**
- DO NOT wear City ID or uniform to campaign events.**
- Please see Employee Services Directive - 0527 for more information.**

FOR ADVICE CALL 630-1015

CAMPAIGNING AT WORK

WHAT YOU CAN DO

- Participate in any political campaign during off-duty hours outside of City buildings.
- 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.
- Treat political candidates like everybody else. If you would allow a private citizen to come into your workplace, you should allow the candidate and vice versa.

FEDERAL LAW

Employees governed by the Federal Hatch Act (those employees whose employment is in connection with an activity that is financed by loans or grants made by the United States or a federal agency):

- If you are an employee subject to the Hatch Act, please note that further restrictions apply to you.
- May not be candidates for public office in a partisan election; may not use official authority or influence to interfere with or affect the results of an election or nomination
- May not directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute to a party, committee, organization, agency, or person for political purposes.
- For more information (including frequently asked questions), please contact the Office of General Counsel and see <http://www.osc.gov/hatchact.htm>.

WHAT NOT TO DO

- Participate in a political campaign while on duty or during any time you are being paid to perform services for the City of Jacksonville, such as breaks.
- While on duty or in a City issued uniform, (1) request any individual to contribute time, money or other thing of value to any candidate, political party or committee of continuous existence; (2) solicit support or votes for any candidate, party or public measure; or (3) take an active part in the management of a political campaign.
- Use any City property, including but not limited to, City issued cell phones, computers, faxes, e-mail systems or office phones for any political purpose other than official job related duties.
- Make, solicit or accept any campaign contribution in a building owned by the City or an independent agency, except when the building is specifically rented for a campaign fundraiser.
- Post campaign material in your work cubicle because 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; or take an active part in the management of a political campaign.
- In addition, Employee Services Directive – 0527 prohibits wearing campaign buttons or campaign attire while on duty, or at the place of work.

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CHAPTER 602. JACKSONVILLE ETHICS CODE (New language in bold)

PART 4. CONFLICTS OF INTEREST

SUBPART A. CONFLICTING RELATIONSHIPS

Sec. 602.401. Misuse of position, information, resources, etc.

(a) **Misuse of position, title, or authority.** It is a violation of this Chapter for an officer, or employee of the City or an independent agency to intentionally use his or her official position, title or any authority associated with his or her public office to coerce, induce or attempt to coerce or induce another person, or otherwise act in a manner inconsistent with official duties, to obtain a special privilege or exemption, financial or otherwise, for himself, herself or others, or to secure confidential information for any purpose other than official responsibilities.

(b) **Misuse of confidential information.** It is a violation of this Chapter for an officer, or employee of the City or an independent agency to intentionally or knowingly disclose or use any confidential information gained by reason of said person's position for any purpose other than official responsibilities.

(c) **Unethical lending or borrowing.** It is a violation of this Chapter for an officer, or employee of the City or an independent agency, to directly or indirectly lend or borrow over \$100, to or from a higher ranking or subordinate officer, employee of the City or an independent agency who is in such person's City chain of command. It is also unlawful for an officer, or employee of the City or an independent agency, to directly or indirectly lend or borrow over \$500 to or from anyone else in the person's City department. This subsection shall not be applicable to lending between family members.

(d) **City Officers and employees should recognize their responsibility to protect and conserve City property and resources, and to make an honest effort to use official time and City property only for official business. To that end:**

(1) **Misuse of property.** It is a violation of this Chapter for an officer or employee of the City or an independent agency to knowingly use property owned by the City or any independent agency for his or her personal benefit, convenience or profit, or for the benefit, convenience or profit of others, except in accordance with official written City policies or ordinances.

(2) **Misuse of time.** It is a violation of this Chapter for an officer, employee of the City or an independent agency to use the official time of a City employee for anything other than official City business.

(3) **Misuse of resources for campaigning.** It is a violation of this Chapter for an officer, employee of the City or an independent agency to use any City resources, including property, employee time, computers and the Internet, for any political campaigning or campaign fundraising activities.

Sec. 602.402. Prohibited representations and appearances, Petitions for Exemption.

(a) Representations Against the City. It shall be a violation of this Chapter for an elected official or employee of the City or an independent agency, otherwise than in the proper discharge of his or her official duties, to represent any other person or entity against the City or an independent agency, or to receive any proceeds from any such representation.

(b) Appearances before City Bodies. It shall be a violation of this Chapter for an elected official or employee of the City or an independent agency, otherwise than in the proper discharge of his or her official duties, to appear before any City department, agency, board or commission, except on behalf of the City or on behalf of himself, herself, or his or her parents, spouse or child.

(c) Board and Commission Members. Subsections (a) and (b) do not apply to any appointed official who is not an elected official or employee, except subsections (a) and (b) do apply as to matters against and appearances before that appointed official's own board, commission or agency, and to departments or agencies over which that appointed official's board, commission or agency has jurisdiction.

(d) Petitions for Exemption. An officer, employee or appointed official subject to the prohibition of this section who believes his or her representation will not interfere with the full and faithful discharge of such person's official duties may submit a written petition for relief from this section to the Jacksonville Ethics Commission. The Chair of the Jacksonville Ethics Commission shall appoint a committee of not less than three Ethics Commissioners to rule upon the petition for relief. The decision of whether to grant relief from this section shall be made in accordance with the policy set forth in Florida Statutes section 112.316 and the opinions interpreting section 112.316 issued by the Florida Commission on Ethics. Said petition for relief shall be set on the agenda of a public meeting within twenty business days of receipt of the petition, and ruled on at the conclusion of the meeting. Nothing in this provision shall be construed to require the disclosure of any information protected by the attorney-client privilege or the waiver of such privilege.

(e) Nothing in this section shall be construed to affect, or in any way interfere with, any state or federal law.