

MEMORANDUM

October 9 , 2023

TO: All UG Elected Officials, UG Appointed Officials and UG Employees

FROM: Ruth M. Benien, Ethics Administrator

SUBJECT: Permitted and Prohibited Political Activities

In preparation for the upcoming Unified Government elections, the UG Ethics Commission, the UG Ethics Administrator and the Unified Government remind all elected and appointed officials and employees of the Unified Government of prohibited and permitted political activities under the UG Ethics Code.

Political affiliation or support is not a condition of employment with the Unified Government.

Please note in particular the portions emphasized below in bold facing are to address matters that have arisen regarding use of UG equipment, time or resources and, in particular use of social media or emails, during or since the prior election cycles that may not be specifically addressed by the UG Ethics Code but are covered by its provisions:

No employee or official should be sending, soliciting or voluntarily requesting or receiving any political voice mails, emails, etc. on their “573” number or UG email. No candidate for any political office, UG, local, state or federal should be using any such UG “573” numbers or any UG email posts or listings for the same.

No UG employee should be forwarding or sending anything of a political nature over UG channels including emails, global UG emails, Facebook, twitter or any other social media, UG websites or official distribution channels

If anyone receives any solicited or unsolicited “robo” calls, emails or other social media of a political nature (and this includes all local, state and federal elections candidates and issues) those should be forwarded only to this Office for action or follow-up and immediately deleted, not saved or forwarded to personal or other UG telephone numbers or emails.

If there is any question as to whether something would be or could be considered “political” in nature, please contact this Office prior to sending or if you receive or are considering in engaging in an activity. Please remember the prohibition on political activities includes not just candidates running for office but political issues whether on the ballot or not.

No UG employee or official while on duty, including breaks, or in the offices or on the property of the Unified Government, shall engage in any political activity or the promotion or dispute with the same, while using equipment or materials of the Unified Government, including tablets, computers, telephones or any other electronic equipment or channels of communication, or vehicles.

No UG employee or official, while representing himself or herself as an official or employee of the Unified Government, or while wearing a uniform generally associated with the Unified Government, including UG issued badges or other identification, shall engage in political activity on behalf of any candidate or issue.

No UG employee or official, in off duty time or personal time, whether or not using his or her UG title, shall engage in conduct for the purposes of reviewing, inspecting or noting the personal activities of other UG employees on their own personal time whether it be attendance at events, personal comments on any

type of social media, letters to the editor or other distributions of any sort and reporting the same political activity or perceived political activity back to his or her co-workers, supervisors or department heads with the intent or potential to limit or coerce certain political activity or impact that person's continued employment with the Unified Government.

No UG employee or official, in on duty time, off duty time, or his or her personal capacity, shall use their personal social media page or other accounts to engage in political activity where his or her employment or status is reflected to be with the Unified Government such that the same would suggest it is supported by his or her department or capacity as a UG employee or official or allow the use of his or her picture or name, in UG uniform or using his or her UG title, in support of any political candidate or political issue.

No UG employee or official shall in response, or posting, on some other social media account, personal or otherwise, use or rely upon his or her status as a UG employee or official in support of a political posting or response whether it be a candidate or an issue.

Personal political activities are protected by the UG Ethics Code and no retaliation may be taken against any UG employee for engaging in the same. Any employee or official who feels they have been subjected to the same should report the matter to the Office of the UG Ethics Administrator.

Prohibited Political Activities:

No official or employee of the Unified Government shall at any time:

- Be required to participate in or contribute to any political campaign.
- Be subject to direct or indirect political influence or coercion.
- Use official authority to solicit funds or receive contributions from other officials or employees for political purposes.
- Display political bumper stickers, posters, banners, pamphlets or buttons on Unified Government vehicles or property, or on a Unified Government work site. However, such articles may be displayed on private vehicles parked in employee or UG parking areas.
- Contribute more than \$25.00 to the campaign of any candidate for elected unified government office.

No official or employee of the Unified Government shall at any time:

- Use an official Unified Government title or designate employment with the Unified Government in political advertisements, endorsements, or speeches except in the case of an incumbent or person currently holding the position to reflect that title or status in his or her own election campaign materials for re-election or retention in that office or position.
- Produce and forward, or authorize and forward, or forward a produced or received, social media communication (i.e. email, Facebook, twitter, voicemail, etc.) to a personal computer or to others on a unified government computer, tablet, telephone or other equipment or using unified government title or resources that advocates the nomination, election, support or defeat of any identified political candidate or political issue.

While on duty, including breaks, or in the offices or on the property of the Unified Government, while using equipment or materials of the Unified Government, including tablets, computers, telephones or other electronic equipment or vehicles, or while representing himself or herself as an official or employee of the Unified

Government, or while wearing a uniform generally associated with the Unified Government, an official or employee shall not:

- Distribute campaign literature.
- Give, solicit or receive contributions or subscriptions.
- Promise or perform political services.
- Sign or circulate petitions for, on behalf of, or in opposition to, any candidate for public office.

Permitted Activities:

Each official or employee of the Unified Government, may, on their own time:

- Register and vote in any election.
- Privately and publicly express an opinion on political subjects and candidates.
- Be a member of a political party and participate in its activities.
- Sign a political nomination or recall petition as an individual.
- Make a financial contribution to a political party or candidate.
- Participate in connection with a public issue that is not specifically identified with a political party, such as a constitutional amendment, referendum, or issue of similar character.
- Display bumper stickers, posters, banners or pamphlets on private property for the endorsement of candidates or issues.

Note:

The Unified Government Human Resources Guide also contains specific provisions with respect to voting. That policy states generally that “Employees who desire to vote are expected to do so before or after their workday or on their own time.” An exception is allowed for time off to vote for employees who are required to work before 9:00 a.m. and to remain at work after 5:00 p.m. If your work hours fall within those parameters, please consult the policy and/or Human Resources. The policy does ask that employees exercising that option try to request the time off in advance of election day, if possible. (Unified Government Human Resources Guide 5.10 Time Off to Vote).

As an individual citizen, not representing oneself as a Unified Government official or employee, on one’s own time, off Unified Government property, and out of uniform, and not during breaks while on duty, an official or employee may:

- Take an active part in the work and management of any political campaigns.
- Solicit, receive, or account for funds for a political purpose.
- Solicit votes in support of, or in opposition to, a political party’s office.
- Initiate or circulate a nominating or recall petition.
- Serve as a delegate, alternate, or proxy to a political party convention.
- Drive voters to the polls on behalf of a political party or candidate.
- Endorse or oppose a candidate for public or political office in a political advertisement broadcast, campaign literature, or similar material.

If an official or employee has a question about his or her conduct or that of another representative of the Unified Government and whether it may violate the Code, all officials and employees are reminded the UG Code of Ethics allows anyone to seek an advisory opinion from the Ethics Administrator. Complaints about the conduct of any employee or representative of the Unified Government may be made confidentially and anonymously, if desired, by contacting the Ethics Administrator on the Ethics Hotline number at (913) 621-3294 or at the Ethics Commission email at ethics.wycokck@gmail.com. Members of the public are also able to use these resources to make inquiries or complaints.