

GUIDELINES FOR POLITICAL ACTIVITY

These are guidelines for political activity that apply to those individuals who are employees of agencies under the Governor's jurisdiction and to officials appointed by the Governor.

[What Everyone Can Do](#)

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[What No One Whose Principal Employment is in Connection with an Activity Financed in Whole or in part by Federal Funds Can Do](#)

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What Everyone Can Do:

- * Vote!

- * Give personal funds to the person or party of your choice (if not otherwise improper, such as exerting undue or improper influence, etc.)

- * Put a bumper sticker on your personal vehicle, but not on a Commonwealth vehicle

- * Express your views as a private citizen in a private setting. Also, Civil Service employees are allowed to express an opinion as an individual privately and publicly on political subjects and candidates.

- * Sign a petition to get a candidate on a ballot or other political petition

- * Wear buttons and similar expressions of opinion when not on duty and not in the workplace

- * Place a sign in your yard

In addition (except for Civil Service employees), during non-work time, everyone may engage in volunteer political activities (which are not of such an extent that they become non-compensated employment) and may attend political events;

persons may do so without obtaining any prior approval, unless the head of the employee's Agency has established a policy to require approval of certain volunteer political activities, to assure that they do not present a conflict of interest with the employee's regular job duties or the mission of the Agency.

What No One Can Do*:

- * Participate in political activity (such as campaigning, fundraising, canvassing or poll watching) during work hours
- * Coerce any other Commonwealth employee to contribute time, money, or services to a political candidate or campaign
- * Participate in political activity that requires approval, without first obtaining the necessary approval (see "When Prior Approval Is Required, page 4).

In addition, there is a prohibition against accepting gifts (which may include tickets to political fundraising events), gratuities, favors, entertainment, loans, etc., from anyone who: 1) wants or has business with the Commonwealth; 2) is regulated by the Commonwealth; 3) has filed a lawsuit against the Commonwealth; or 4) has interests that are substantially affected by the employee's job performance or nonperformance. Exceptions are personal gifts and gifts and entertainment of nominal value in special situations, such as in connection with a meeting or receipt of a civic award or similar recognition.

What No One Whose Principal Employment is in Connection with an Activity Financed in Whole or in part by Federal Funds Can Do:**

Employees covered by the Hatch Act, 5 U.S.C. §§ 1501 et seq. are subject to the following restrictions.

- * Cannot be a candidate for public office in partisan elections
- * Shall not use official authority or influence for purpose of interfering with or affecting the result of an election or nomination for office
- * Shall not, directly or indirectly, coerce, attempt to coerce, command or advise another "covered" employee (who also works in connection with a federally funded program) to lend, pay or contribute anything of value to a political party or candidate

* There are penalties under the Governor's Code of Conduct for violation of these rules. See Executive Order 1980-18, as revised.

** There are penalties under the Hatch Act, 5 U.S.C. §§ 1501 et seq., for violation of these rules.

What No Civil Service Employee Can Do*:

See the Civil Service Act, 71 P.S. § 741.905b. Civil Service employees cannot participate in the following political activities *unless* furloughed, on leave without pay, or serving in an appointed or elected office, which began while on leave or furlough.

- * Engage in almost any political campaign activity, other than making monetary contributions (Certain permissible activities are on page 1 of this memo.)

- * Engage in any of the political activities prohibited by the State Civil Service Act (see the State Civil Service Commission (SCSC) Enclosure 1 to Management Directive 580.25, pamphlet entitled "Do's and Don't's – Political Activity for Classified Service Employees," or the SCSC website, for a detailed list of [activity guidelines for civil service employees](#))

What Senior Level Executive Branch Employees Should Not Do:

- * Do not lend your name as a chair, co-chair, host, or co-host, for a political fundraiser, and do not serve as a delegate to any national nominating convention, although contributing money or simply attending either one is fine.

- * Do not address a group, in support of or opposition to a candidate for public office, before obtaining approval through one's agency's Governor's Office liaison.

Beware of gifts! As noted above, there are restrictions on persons from whom gifts may be received. There are also reporting requirements regarding gifts received. Under the Governor's Code of Conduct, senior level executive employees are required to report gifts (which might include political event tickets) with a value of more than \$100, and under the State Ethics Act, to report gifts with an annual aggregate value of over \$250. The reportable value of a ticket to an event is the value of what is actually received at the event. Also, employees should keep a yearly log of tickets and/or gifts received. Paid or reimbursed travel and entertainment is also reportable in excess of various thresholds.

* There are penalties under the Civil Service Act for violation of these rules. See 71 P.S. §741.905b.

When Prior Approval is Required:

As noted above, in "What Everyone Can Do" on Page 1, certain Agencies may have adopted Agency specific requirements for approval of volunteer political activity. Agency HR Directors should be contacted for approval procedures in such cases.

In addition to Agency-specific requirements for approval of certain volunteer political activity, **prior approval of political activity, even during non-work hours, is required** in any of the following cases:

- 1) the employee is in a civil service position, or
- 2) the political activity
 - a. involves running for office or as a delegate,
 - b. requires leave,
 - c. involves compensation or remuneration, and/or
 - d. is of such consistency and duration that it constitutes supplemental employment, whether or not compensated.

Approval is obtained by submitting a request for approval of political activity using the Supplementary Employment Request Form to the employee's Agency human resource office. The request then goes to the Agency Office of Chief Counsel and Agency Head for approval, before being submitted to the Office of Human Resources and Management, for review on behalf of the Secretary of Administration. The review of the request considers whether the political activity conflicts or interferes with one's ability to effectively and efficiently carry out the duties and functions of one's position. Factors that may be considered include: the time involved, the nature of the relationship between the proposed activity and the Commonwealth position held, or whether winning an elective position might require resignation. However, the political party for which the requested activity is being performed is never to be a factor in deciding a request.

Employees As Candidates for Public Office

It is imperative that Commonwealth employees seeking to run for part-time or full-time elective office follow the guidelines referenced above, and obtain prior approval for supplementary employment **before** engaging in any activity as a candidate, including announcing their candidacy. Additionally, employees are prohibited from engaging in any activity that would be a real or apparent conflict of interest or impair the trust and confidence of the public in the employee's ability to carry out their Commonwealth duties. Under no circumstances should employees use Commonwealth equipment, information or supplies or engage in any political activity while on official business for the Commonwealth.

QUESTIONS? Refer questions regarding the Federal Hatch Act to the U.S. Merit Systems Protection Board at 202-653-8898 or 202-653-7984. For any other questions, each employee should contact his or her Agency's Human Resources Office.