



POLITICAL ACTIVITIES OF PUBLIC EMPLOYEES

POLICY

Pursuant to state and federal regulations, certain political activities on the part of City employees are prohibited:

- ◆ Threats to deny promotion to any employee who does not vote for a certain candidate.
- ◆ Requiring employees to contribute a percentage of their pay to a political fund.
- ◆ Influencing subordinate(s) or co-workers to buy tickets to political fund-raising dinners and similar events and advising employees to participate in political activity.

In addition, City Council Resolution No, 5739 prohibits employees from:

- ◆ engaging in political activities during working hours; and
- ◆ engaging in political activities on the premises of the City.

Employees may engage in political activities during non-working hours (i.e., vacation, compensatory time off, leave without pay), provided they do so without the use of City uniforms, identification, premises and/or other resources.

PROCEDURE

Public employees may not:

1. Engage in political activities during working hours.
2. Engage in political activities on the premises of the City.
3. Participate in political activities that would appear they are representing the City of Santa Clara, rather than expressing their opinion as a private citizen. Examples of prohibited conduct include: participating in political activities of any kind while in uniform, using City title or position as identification, using City identification card, or using indicia of office such as letterhead, etc.
4. Directly or indirectly solicit political funds or contributions knowingly from other employees or from persons on City employment lists.
5. Use official authority or influence to secure or prevent an employee from securing any position, nomination, confirmation, promotion, or change in compensation or position.



POLITICAL ACTIVITIES OF PUBLIC EMPLOYEES (cont.)

6. Be a candidate for public office in a partisan* election.
7. Use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office.
8. 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.

Provided that all activity is done during non-working hours (i.e., vacation, compensatory time off, leave without pay) and without the use of City uniforms, identification, premises and/or other resources, **public employees may:**

1. Be a candidate for public office in a non-partisan election.
2. Campaign for and hold elective office in political clubs and organizations.
3. Actively campaign for candidates for public office in partisan and non-partisan elections.
4. Contribute money to political organizations or attend political fund-raising functions.
5. Participate in any other political activity not specifically prohibited by law or regulation.

Reference:

Resolution No. 5739, dated August 18, 1992
City Manager Directive 082, Political Activities of Public Employees

* Pursuant to the Federal Hatch Act, an election is partisan if any candidate for an elective public office is running as a representative of a political party whose presidential candidate received electoral votes at the preceding presidential election.