

## Political Activity in the Workplace

## Section 1.2

### PURPOSE

The purpose of this policy is to ensure a respectful, politically-neutral workplace that reinforces the City's goals of providing efficient and high-quality services to its residents and to provide a productive work environment for all. This policy on *Political Activity in the Workplace* is intended to set forth expectations and establish a clear code of conduct that respects employees' right to engage in political activity, while protecting employees from political coercion in the workplace.

### POLICY

The City encourages its employees to take an active interest in politics and to participate fully in the democratic political process as private citizens.

City employees may participate in political activities during non-work hours and may make voluntary political contributions as a private individual or in support of their union, or any other non-work related organization; provided that such activities do not occur in a professional capacity related to their employment with the City, or on behalf of the City.

In compliance with *California Labor Code §1101* and *§1102*, the City shall not make, adopt, or enforce any rule, regulation, or policy that:

- a) forbids or prevents its employees from engaging or participating in politics or from becoming candidates for public office;
- b) controls or directs, or tends to control or direct the political activities or affiliations of its employees;
- c) coerces or influences, or attempts to coerce or influence its employees through or by means of threat of discharge or loss of employment to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity.

This policy shall apply to all employees while on-duty at the workplace, and at other times, regardless of the location, when employees are engaged in official City business or otherwise on-duty representing the City. The following workplace rules cover political activities to avoid disruptions in the workplace that can cause productivity issues and potential claims of harassment and discrimination.

Prohibited Activities (On-Duty) – While on-duty at the City, on City premises or using City resources, employees may not engage in any of the activities listed below. Nothing in this policy is intended to prevent employees from attending political or public meetings during non-working hours.

City employees are prohibited from:

- Engaging in political campaign activities while on duty at the workplace or on City property; however, employees may engage in political activities on their own time on any City property accessible to the public.
- Using any City equipment or resources to engage in political campaign activities at all times, whether on-duty or off-duty. Employees are free to engage in political activities on their own time and with their own resources. City resources include but are not limited to:
  - City letterhead and logos
  - Office space and other facilities
  - Office supplies
  - Photocopiers

- Telephones or facsimile machines
  - Electronic resources including email, websites, city on-line discussion boards, city issued cell phones, or similar resources.
- While on duty, directly or indirectly, using their personal influence in favor of or against any candidate, issue, or cause.
  - Threatening or attempting to use their authority or influence as an employee of the City in favor of or against any candidate, issue, or cause.
  - While on duty, directly or indirectly coercing or attempting to coerce, command or advise any employee of the City to make political contributions, or request such contribution from other employees whom they supervise.
  - Participating in political activities of any kind while in uniform in accordance with Government Code §3206.
  - Representing the City on policy issues except when it is part of their jobs to do so. While participating in the political process employees are prohibited from implicitly or explicitly stating or suggesting that their personal positions on political issues reflect those held by the City.
  - Wearing campaign paraphernalia such as T-shirts, buttons, pins, or hats and displaying or distributing campaign materials while on-duty. However, employees are permitted to wear items displaying union related insignia at any time.

Use of City Facilities for Political Forums – City facilities available to the public may be made available for the purpose of holding political meetings, or public forums, provided there is no interference with regularly scheduled functions. Rental use is in accordance with the City’s facilities rental policy, and payment of the regular fees for use of the facilities is made in advance of such use. Please refer to the *City of El Monte Facilities Rental Agreement* for further information on rental of City facilities.

Time off to Vote – Under California Elections Code §14000, employees are eligible for paid time off for the purpose of voting if they do not have sufficient time outside of working hours to vote. The intent of the law is to provide an opportunity to vote to workers who would not be able to do so because of their work schedules (Please contact the HR/RM Department for additional information or administrative guidance).

Employees shall be eligible for a maximum of two (2) hours paid time off to be taken at the beginning or end of the employee’s shift. Employees are required to give advance notice that they will need additional time off for voting.

The City is committed to maintaining a respectful and humane workplace. To that end every employee is expected to observe the foregoing policy and rules while on-duty and when engaged in City business. Complaints alleging a violation of this policy should be directed to the City Manager or the Department Director. Upon receipt of a complaint, the City Manager shall determine an appropriate course of action.