

## Policy

<b>Policy Title:</b>	Political Activity				
<b>Policy Number:</b>	DHS-010-003	<b>Version:</b>	3.0	<b>Effective Date:</b>	10/19/2004

DHS Director or Deputy Director

10/19/2004

Approved By: (Authorized Signer Name)

Date Approved

### Overview

#### **Description:**

This policy governs political activity at the Department of Human Services. The policy informs DHS employees of their rights and obligations under the federal Hatch Act, National Voter Registration Act, Oregon State laws, ORS 260.432 and ORS 247.208 and DHS policy. The policy outlines obligations of DHS managers and provides resources for additional information.

#### **Purpose/Rationale:**

The primary purpose of the policy is to outline appropriate political activities while ensuring that the work of DHS is accomplished without disruption. The intention of the policy is to honor employee rights for political expression, abide by the applicable law and most importantly, be respectful of DHS clients, partners and visitors while achieving the DHS mission.

#### **Applicability:**

All DHS Staff; additional responsibilities for DHS Managers.

#### **Failure to Comply:**

Failure to comply with this policy may result in disciplinary action.

### Policy

#### **1. General**

Political activities of Department employees during working hours are limited by the [Federal Hatch Act](#) and [ORS 260.432](#).

#### **2. Permitted Activity**

##### **a. During working hours** – a DHS employee **may**:

A. Post appropriate political material as described in section 5 of this policy.

##### **b. Outside of working hours** - (personal time, lunch and break periods and days off) - a DHS employee **may**:

A. Express opinions on political subjects and candidates.

B. Take an active part in political management and political campaigns.

C. Run for public office in nonpartisan elections.

**3. Prohibited activity - a DHS employee may not:**

- a. Use official authority or influence to interfere with or affect the result of an election or a nomination for office;
- b. Directly or indirectly coerce or attempt to coerce subordinates in support of a political party or candidate;
- c. 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;
- d. Be a candidate for public or political party elective office in a partisan primary, general election or special election. An employee under the Federal Hatch Act who is planning to be a candidate for elective political office must resign from state service; leave without pay will not suffice.
- e. Post political material in a prohibited manner as described in section 5 of this policy.

**4. Voter Registration Restrictions**

A person/office providing voter registration shall not:

- a. Seek to influence an applicant's political preference or party registration;
- b. Display any political preference or party allegiance; including not displaying political buttons, posters or flyers within the immediate work site, that may influence an applicant's political preference or party registration;
- c. Make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or
- d. Make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

**5. Posting of Political Material in the Workplace**

**a. Permitted**

- A. Political materials may be posted inside an employee's immediate workspace as long as members of the public do not use or view that space
- B. Political buttons may be worn except where prohibited by safety and health policies such as in institutions and group homes or where restricted by the National Voter Registration Act.

**b. Prohibited**

- A. If members of the public come into the workspace to meet with staff (sometimes referred to as desk side interviewing), political materials may not be displayed.

- B. Materials may not be posted in areas open or visible to the public. Examples include: reception areas, lobbies, or any place where the public passes by for interviews, meetings, or to fill out forms. **Exception:** Bulletin boards where the Unions have been authorized for notification to union members. Bulletin boards must be clearly labeled as Union Bulletin Boards.
- C. Materials may not be posted on the outside of cubicle walls or on office doors.
- D. Political buttons may not be worn where prohibited by safety and health policies. Institutions and group homes may have additional restrictions due to safety concerns and issues related to patient and resident care.

## 6. Required Posting of notices

- a. Oregon State law requires all state agencies to post notices that apprise employees of their political rights. Notices must be placed in a conspicuous place likely to be seen by all employees. Subsection (3) of ORS 260.432.
- b. DHS Managers are responsible for ensuring that such notices are posted at the worksite. (Open and print a copy of the notice from the [Forms](#) section, below.)
- c. The notice, as provided in Subsection (3) of ORS 260.432, reads as follows:

### ATTENTION ALL PUBLIC EMPLOYEES:

The restrictions imposed by the law of the State of Oregon on your political activities are that "No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

It is therefore the policy of the state and your public employer that you may engage in political activity except to the extent prohibited by state law when on the job during working hours.

## 7. Resolution of Questions

- a. Contact the Office of Human Resources for additional information or to resolve questions.
- b. Office of Human Resources will use a reasoned approach to resolving individual disputes. Our goal is to honor employee rights, while abiding by the Secretary of State's rules regarding Restrictions on Political Campaigning by Public Employees as defined in ORS 260.432.

### Procedure(s) that apply:

None

### Form(s) that apply:

[DHS 7266, Political Activity Notice](#)

## **Definition(s):**

See [Common Terms](#) for department-wide support services policies

## **Reference(s):**

[ORS 247.208](#)

[ORS 260.432](#)

[National Voter Registration Act](#)

[Federal Hatch Act for State and Local employees](#)

[Restrictions on Political Campaigning for Public Employees \(ORS 260.432\) - Quick Reference \(pdf\)](#)

[Restrictions on Political Campaigning by Public Employees \(ORS 260.432\) - Full version \(pdf\)](#)

[2012 Election Law Summary for Candidates, PACs and Others](#)

## **Contact(s):**

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## **Policy History:**

- **Version 3.0:**
  - 10/19/2004 - Incorporated in the policy is an additional section regarding Voter Registration Restriction, language to clarify when an employee is permitted to run for a non-partisan political office and material that can be posted on Union bulletin boards.)
- **Version 2.0:**
  - 09/26/2004 - This revision of the policy includes requirements for posting political material in the workplace and appropriate activity during working hours. This revision also moves the policy from the Office of Human Resources to the Director's Office.
- **Version 1.0:**
  - 03/27/2002 - Initial Release under the Office of Human Resources

## **Keywords:**

(List keywords here that might be used by someone to search for this policy on the internet)