



## Employee Political Activities Policy

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### **Purpose:**

The City of Petaluma (City) supports the rights of its employees to participate in political activities when conducted off-duty and off-site from City premises. The purpose of the Employee Political Activity Policy (“Policy”) is to ensure compliance with all applicable laws, including Petaluma Municipal Code 3.04.040, limiting political activity in the workplace and prohibiting the use of public resources for political activities. Each employee is subject to the restrictions on political activities contained in state law, and where applicable, federal law. If any conditions covered in an employee Memorandum of Understanding (MOU) are different than the policy explained here, the MOU stipulations shall apply.

### **Scope:**

This Policy applies to all employees. This Policy limits employees’ political activities related to (1) conduct during working hours; (2) use of City property, premises, or resources; and (3) conduct while in uniform, consistent with applicable law. This Policy is not intended to limit employees’ rights to participation in lawful political activities, including but not limited to on public areas of City property.

This policy is not intended to restrict lawful collective bargaining activities.

### **Terms Used in this Policy:**

#### **A. “Campaign”**

As used in this policy, the term “campaign” is defined as all acts done by a candidate and his or her adherents to obtain a majority or plurality of the votes to be cast toward a nomination or in an election.

#### **B. “Employee”**

As used in this Policy, the term “employee” includes the following individuals:

- Full, part time and seasonal employees
- Elected or appointed officials (including commission members)
- Volunteers (including unpaid interns)

#### **C. “Political Activity” or “Political Activities”**

As used in this policy, the terms “political activity” or “political activities” are used interchangeably and are defined as any activity directed towards the success or failure of a

political party, candidate for political office, ballot measure or partisan political group.

Examples of political activities include but are not limited to: distributing materials or campaign signs; attending campaign events; making telephone calls or sending emails or missives for campaign purposes; making copies, writing campaign statements or scripts, stuffing envelopes, advocating or ‘informing’ fellow workers about campaign issues, or wearing campaign signs or buttons.

#### **D. “Workplace”**

For the purposes of this Policy, workplace is defined as any City property (including, but not limited to, an employee’s work site or a place where work is being conducted) that is not open to the public. “Workplace” shall include City owned vehicles.

#### **Policy:**

City employees may not solicit or receive political funds or contributions to promote the passage or defeat of any ballot measure that would affect working conditions during employees’ working hours or in City facilities. (Gov. Code § 3209.)

City employees are prohibited from engaging in political activity during working hours or while on City property, including in City-owned vehicles. (Gov. Code § 3207.)

City employees are prohibited from using public funds or resources to engage in political activity, including to advocate, support or oppose the approval or rejection of a ballot measure or the election of a candidate. For the purpose of this Policy, public funds and resources include, but are not limited to: City-owned copiers, faxes, computers, printers, telephones, email, office space, office supplies, and/or equipment.

City employees shall not distribute campaign literature of any nature, either during working hours, or while on City premises, including City-owned vehicles.

Employees or candidates for elective office of the City, may not directly or indirectly solicit political contributions from other employees of the City unless the solicitation is part of a solicitation made to a significant segment of the public which may incidentally include employees of the City. (Gov. Code § 3205(c).)

No employee shall participate in political activities of any kind while wearing a City uniform or other clothing marked with City-branded insignia, whether on or off City premises. (Gov. Code § 3206.)

City employees are prohibited from displaying campaign materials of any nature on City property, including, but not limited to, walls, bulletin boards, doors, and in/on City-owned vehicles, whether on or off City premises.

On personal time and using personal resources, employees are free to engage in political activity, including signing documents that advocate political positions, authoring newspaper editorials, or signing their names to letters. However, to avoid confusion that the employee’s position on an issue represents the City’s official position, the employee should clearly

indicate that it is the employee's personal and not professional position; shall not use City letterhead; and shall not represent his/her position as an official City position. The employee should exercise judgment and shall direct any questions related to this Policy to the Human Resources Department.

Engaging in prohibited political activity as set forth above may subject an employee to discipline, up to and including dismissal.

*If this policy conflicts with current statutory or case law, the law prevails.*

Approved:

DocuSigned by:  
  
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Peggy Flynn, City Manager

3/10/2022  
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Date