



PERSONNEL RULES

EMPLOYEE RESPONSIBILITIES POLITICAL ACTIVITIES §1407

Overview: To maintain a workplace that is free of political distraction, the County establishes the following guidelines regarding permitted political activities. Employees are encouraged to participate in political activities before the commencement of, or at the end of any standard or overtime hours, during lunch and/or breaks, or during paid/unpaid leave. This Personnel Rule does not apply to political activities related to employee unions.

Applicable to: All employees

Definitions: The Hatch Act- A federal law passed in 1939, which limits certain political activities of federal employees, as well as some state, D.C., and local government employees who work in connection with federally funded programs.

Guidelines: For activities not listed, employees should consult the Department Head for guidance.

Employees who perform duties in connection with programs financed in whole or in part by federal loans or grants are subject to the political restrictions of the Hatch Act. The purpose of the Hatch Act is to ensure federal programs are administered in a nonpartisan fashion, to protect federal employees from political coercion in the workplace, and to ensure that federal employees are advanced based on merit and not based on political affiliation. Alleged Hatch Act complaints can be filed with the U.S. Office of Special Counsel.

Permitted Activities

An employer cannot lawfully prohibit workplace conversations about political subjects, unless it similarly prohibits all other non-work-related conversations (what they did over the weekend, TV shows they watch, etc). The law also allows employees to discuss employment-related issues while at work. Because a (local) campaign may determine who will run specific departments, conversations about a (local) campaign could be considered employment related.

Employees may wear campaign buttons or other campaign attire, providing they do not have direct contact with the public or clientele they manage or serve. Employees may display political messages such as bumper stickers on their private vehicles, which may be parked on County property. However, private vehicles displaying bumper stickers with political messages shall not be used for official County business.

Employees may register and vote in elections, participate, contribute, and assist in campaigns, run for office in a non-partisan elections, hold office in a political club or party, and attend political rallies on their own time and while not using any County issued equipment or resources.

Prohibited Activities

The following activities are prohibited while on-duty in all County workplaces, including working in the field or attending meetings on behalf of the County:

- soliciting campaign contributions, or contributions of service on behalf of a candidate or in opposition of a candidate
- debates about candidates, including advocating the nomination or election of a candidate or the defeat of an opposing candidate, or debating a candidate's position on issues or their qualifications for office
- circulating petitions
- distributing or displaying campaign materials (other than as described in Permitted Activities above), such as communications directed to voters or potential voters encouraging advocacy of the nomination or election of a candidate, proposition, or measure, or the defeat of an opposing candidate, proposition, or measure
- working on campaigns during work time or in work areas, including arranging, coordinating, developing, writing, or preparing any communication or activity, related to a campaign, such as a campaign budget or campaign disclosure statement
- using County resources for a campaign
- disrupting operations or productivity
- use of authority to influence or interfere with any election or nomination for office

Maintain a Culture of Respect

It is every employee's responsibility to maintain a culture of respect throughout the political process. While employees may have strong, opposing political views, the County will not tolerate discrimination, harassment, or retaliation. Employees should be considerate of coworkers, the public, and clients.

Time Off for Voting

Employees are eligible for paid time off for the purpose of voting only if they do not have sufficient time outside of work hours to vote. If an employee is scheduled to be at work during election day during the time that polls are open, they are allowed to take up to two hours off to vote, without loss of pay or accrued leave. Additional time may be granted, but a maximum of two hours will be paid. The time off must be at the beginning or end of the regular work shift, whichever allows the most free time for voting and the least time off from the regular working shift, unless another arrangement is made with the supervisor. If an employee needs time off for voting, they must provide their supervisor with two days' notice.

Union Activities

Employees have the right to join or support a union and to participate in union activities, wear union buttons, T-shirts, stickers, hats, or other items on the job. However, employees must still adhere to department standards for professional attire. For example, wearing a T-shirt and hat to court may be prohibited by department policy. Further, employees have the right to organize as a recognized bargaining unit with the County, as well as, sign petitions, file grievances related to wages, hours, and working conditions and other job issues. Employees may read, distribute and discuss literature, hold meetings, and vote on successor memorandums of understanding during non-work hours in non-work areas, such as breaks and lunch hours.

Procedure: Responsibilities for implementation, application, and enforcement of this rule are listed below.

Employee If an employee needs time off for voting, they must provide their supervisor with two days' notice.

Supervisor A supervisor may not prohibit or intimidate an employee from participating in political activities on their own time or voting. Upon receiving proper notification of the need for leave for voting, the Department Head or designee shall review the request and follow the law in granting such leave.

Department Head Enforce rules for political activity consistently across all employees.

Forms: Request for Leave Form (for Voting Leave)

References: Govt Code §3201-3209, and §19990; National Labor Relations Act; DiRuzza v. Tehama County; The Hatch Act (5 U.S.C. 1501-1508, interpreted at 5 Code of Federal Regulations, Part 151)

Effective Date: May 15, 2018

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The provisions of this Code shall not supersede any state law, federal Law or current collective bargaining agreement between an employee organization and Tehama County. The provisions of these Codes shall not preclude specific County departments from developing operational policies and procedures.