



## DEPARTMENT OF EMPLOYEE RELATIONS

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### **Political Activity Policy**

#### **I. POLICY STATEMENT**

The City of Milwaukee believes in the democratic process and encourages all employees to participate in public affairs and to support the party and candidates of their choice. Employees are encouraged to stay informed of local, state and national affairs and to satisfy their responsibility to vote in all elections. The City encourages all employees to engage in civic, educational and charitable endeavors in the community.

Employees have the right to become a member of a political club or organization, to attend political meetings, to express personal opinions on all political subjects, and to enjoy freedom from all interference in casting their vote. Employees may engage in political activity provided that they do it on their own time and that City resources and facilities are not utilized. Employees are prohibited from conducting political activities while working and shall not identify as a representative of the City or a City department in any political activity.

This Policy supports the City's compelling interest in protecting its integrity, protecting employees from political interference, and preserving the public's confidence in its government.

A violation of this policy is considered a serious offense and may result in disciplinary action up to and including separation from employment or expiration of appointment.

#### **II. APPLICABILITY**

This policy applies to all general city of Milwaukee employees and volunteers, including those holding classified and exempt positions including public officials appointed per provisions of Wisconsin State statute 62.51.

#### **III. POLITICAL ACTIVITY DEFINITION**

For purposes of this policy, political activity means an effort to support or oppose the election of a candidate for political office or to support a particular political party in an election. Political activity includes:

- managing or working on any federal, state, local, or Employee Retirement System Board (Pension Board) political campaign
- speaking in support of or against a candidate, party, or political issue
- circulating candidate nominating petitions
- organizing or participating in political rallies, demonstrations, or fundraisers
- making or soliciting political contributions (including tickets for political fundraisers)
- preparing reports of political contributions
- assisting at the polls on behalf of candidates
- soliciting votes on behalf of candidates
- preparing or distributing campaign literature, signs or other campaign material
- campaigning or running for any elective office.

#### **IV. PROHIBITED POLITICAL ACTIVITY**

This section identifies important restrictions of employee's political activity while on duty, in uniform and while on City facilities or premises. It also identifies restrictions associated with the use of the employee's authority, title, or influence for political purposes. These restrictions apply to all city employees, volunteers, and members of Boards and Commission.

The following activities are strictly prohibited:

- Using City property, supplies, or equipment for the production of solicitation materials
- Engaging in political activity while on duty or while attending a function or event in the employee's official capacity
- Engaging in political activity inside a City office or place of employment, while wearing an official uniform or identification badge, or while using a City vehicle
- Engaging during scheduled work periods in the distribution of badges, posters, bills, printed or written matter approving or favoring a candidate for nomination or election to a municipal political office, or soliciting money for the purpose of aiding the election of any candidate to any public office
- Directing or requiring employees to perform political activity as part of their job duties or during their time off
- Using or threaten to use, or attempting to use personal or political influence in securing promotion, leave of absence, transfer, change of grade, pay, or character of work
- Using one's authority, influence, title, or status within the City while engaging in political activity
- Using one's authority or influence to coerce any individual to participate in political activity
- Requesting, directing, or suggesting that a subordinate officer or employee participate in political activity
- Making political endorsements while identifying as a City employee

In addition, employees shall not solicit or discourage the participation in any political activity of any person who has an application for any compensation, grant, contract, ruling, license, permit, or certificate pending before the employee's office.

Furthermore, employees shall not solicit or discourage the participation in any political activity of any person who is the subject of or a participant in an ongoing audit, investigation, or enforcement action being carried out by the employee's office.

USE OF SOCIAL MEDIA – The use of a social media platform created, operated or administered by the City or its departments, or that could reasonably be seen as reflecting official City policy or authority, for political activity or purposes is strictly prohibited..

The use of a personal social media platform to conduct political activity on behalf of the City is strictly prohibited. Listing City of Milwaukee as an employer does not preclude an employee from engaging in political activity on personal social media.

The use of City e-mail for political activity is also prohibited.

POLITICS IN THE WORKPLACE - Discussions about a candidate, a political party or a political party's position can easily cross into partisan political activity and create disruption in the workplace. Consequently, those conversations should be restricted and limited to a minimum.

DRESS CODE AND POLITICS - Displaying items or wearing apparel, including accessories, with messages that support or oppose the election of a candidate for political office or support a particular political party in an election while on the job is strictly prohibited. This includes displaying the item in private workspaces not open to the public and on City vehicles. Displaying political items or wearing political apparel is allowed in public areas of City property, provided that the employee is doing so on the employee's own time.

POLITICAL CONTRIBUTIONS - Political Contributions include money or items having a monetary value received by a candidate or his or her agent for use in advocating for or influencing the election of the candidate; and money or items having a monetary value received by a political committee, political party, political campaign, or partisan political group.

The City prohibits employees from knowingly soliciting or accepting any political contribution from a person doing or seeking to do business with the City, and prohibits City employees or officials, or candidates or lobbyists, or employees or agents of any political organization, from soliciting, accepting, or making political contributions on City property or compelling or coercing employees to make, not make or solicit political contributions, or knowingly solicit political contributions from any employee or official over whom they have supervisory authority.

Even though the City's policy prohibits political contributions on behalf of the City of Milwaukee, individual employees acting on their own may provide support in money, time or other things of value from their own resources. Such contributions by individuals are not in any sense dishonest, illegal or unethical. Anyone making a contribution should be aware that a candidate's committee must report all contributions and contributors by law so the contribution will become public record. There are campaign contribution limits under state and federal laws.

WORKING OR VOLUNTEERING TO SUPPORT A CANDIDATE- Employees are allowed to volunteer to work for the local committee to elect someone to office by making phone calls, collecting signatures, or handing out leaflets to residents, etc. with the following restrictions:

1. An employee may not perform any political activity during work time. If the employee is engaging in political activity during regular work hours, there must be a record of the employee using vacation or other paid time off.
2. An employee may never use (or be on) City property while engaging in or performing any political activity. (Note: soliciting signatures for nomination papers is only allowed in common areas of City Hall where the public is allowed to congregate, provided that the employee is doing the solicitation on his or her time).

HARASSMENT - Harassment of another employee or residents based on an employee's political beliefs or political activity is strictly prohibited. Examples of harassment based on an employee's political beliefs or political activity include but are not limited to the following:

Verbal: slandering, ridiculing or making harmful and often untrue statements, persistent name calling, mocking, using a person as butt of jokes, use of "hate words," and verbal abuse or "kidding," or threat of harm that is oriented toward an employee based on the employee's political beliefs or political activity.

Nonverbal: the distribution, display or discussion of any written or electronic material, including calendars, posters, and cartoons that are offensive or show hostility toward a protected group; suggestive or insulting sounds, leering, staring, gestures that are offensive toward an employee based on the employee's political beliefs or political activity.

Physical: Any unwelcome unwanted physical contact, including pushing, shoving, kicking, poking, tripping, damage to work area or property; impeding or blocking normal work, access to tools and equipment or movement in workplace oriented toward an employee based on the employee's political beliefs or political activity.

## **V. EXPECTATIONS AND RESPONSIBILITIES**

All individuals covered by this policy have the following responsibilities.

- Read and understand this Political Activity Policy
- Report violations of this Policy to management, a personnel officer, or the Department of Employee Relations
- Cooperate and participate in workplace investigations related to potential violations of this policy

## **VI. RIGHTS/PROTECTIONS: RELEVANT REGULATIONS**

There are several other City, State, and Federal regulations that provide employees certain rights and protections. Please visit the links below for the most current version.

- A. Federal Law: The Hatch Act <https://www.govinfo.gov/content/pkg/USCODE-2011-title5/html/USCODE-2011-title5-partIII-subpartF-chap73-subchapIII.htm>

- B. Wisconsin State Statutes: <https://docs.legis.wisconsin.gov/statutes>
  - a. Employment Protections- Wisconsin State Statute 63.49
  - b. Voting Rights – Wisconsin State Statute 6.76
  - c. Election Restrictions on the City as an Employers - Wisconsin Statute Section 12.07
  - d. Election Threats - Wisconsin Statute Section 12.09
  - e. Leave of Absence and Reinstatement - Wisconsin Statute Section 66.0501(5)
- C. Milwaukee Code of Ordinances [www.milwaukee.gov/cityclerk/LRB/ordinances](http://www.milwaukee.gov/cityclerk/LRB/ordinances)
  - a. Running for Office- Milwaukee Code of Ordinances 350-35(2)a
  - b. Leave of Absence and Reinstatement Milwaukee Code of Ordinance 350-35(2)b
- D. City Service Rule X, Section 2. <http://www.milwaukee.gov/DER/csc>