



BOARD OF ETHICS
CITY OF CHICAGO

YOU'RE INTERESTED IN POLITICAL CAMPAIGN WORK? »FAQs FOR CITY EMPLOYEES«

A message from the Board's Executive Director ...

2018 is here, with a Primary Election in March and General Election in November for many Federal, Statewide, and County elected offices. And, candidates for Mayor of Chicago have begun campaigning for the Consolidated City election in February 2019.

We at the Board of Ethics again want to remind City employees of the restrictions on political activity to which we're subject as public servants.

Being politically active — working on political campaigns, making political contributions, etc. — is our right. For City of Chicago employees, it's protected by state law (the Illinois Local Governmental Employees Political Rights Act, 50 ILCS 135, *et seq.*).

But, the City has laws to help ensure that we, as public servants, don't improperly use taxpayer funds or other public resources by engaging in political activity with or on government property, at work, or on government time.

We need to know these restrictions. This guide has FAQ's to help guide you through issues that may arise.

As always, if a question arises that is not addressed here; we should not be shy about contacting our own department's ethics officer, or my office, the Board of Ethics, directly at 312-744-9660, or by email at steve.berlin@cityofchicago.org **Your call or email to my office is confidential.**

As we say often at the Board of Ethics: *there's no such thing as a silly question, except the one that's not asked. The worst thing we can say in advance is "no – you can't do that."*

Steve Berlin, Executive Director

The cardinal rule in Chicago government – and in every other governmental unit in the United States – is that we may engage in political activity, but we cannot do so on City or government time, or with or on City governmental property or resources.

All the other rules are variations of this basic principle.



Can I work on the campaign of a candidate I support?

Yes, with important restrictions: you cannot do any political work, such as making phone calls on behalf of any candidate for elected public office (even non-City office), canvassing, evaluating contribution spreadsheets, etc., while you are on "compensated time," or on City property, or with City-issued property. If you do this work, it must be when you're off-duty and off City property, and cannot be with a City-issued smartphone, computer, tablet, or telephone. "Compensated time" means any time you're at or doing your City job, or credited for any City work time requirement. It does not include City holidays, like Presidents', Pulaski, or Columbus Days, or when you're on an approved leave, like vacation, lunch or a personal day.

And, if you exercise contract management authority over any City contracts, you may not serve on a political fundraising committee. This includes not only an official candidate committee, but also any *ad hoc* committee that handles money for the purposes of influencing an election, such as a committee that would hire a caterer for a meet-and-greet with the candidate at someone's condo.

Can I solicit political contributions? For a candidate I support? For a ballot referendum I support?

There are severe restrictions on the ability of City employees to solicit political contributions. So, we advise not doing this, except from relatives or personal friends who have nothing to do with City government. The reason: the City's Governmental Ethics Ordinance prohibits City 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 intentionally soliciting, accepting, or making political contributions on City property. As a general matter, we advise that political fundraising is best left to the candidate him- or herself, or to professional fundraisers.

Can I talk about a candidate I support?

Talking about a candidate you support – for any election, whether it's Statewide, Countywide, Municipal, or Federal – can easily cross into partisan political activity. It is best that you not have these conversations with your co-workers or members of the public, at least not on City property during the regular workday.

- And, if you supervise other City employees, we advise that you not have such conversations with them at all. The reason: the City's Governmental Ordinance prohibits City employees or officials from coercing, compelling, or intimidating other City employees or officials to make or not make a political contribution, or engage in political activity. Thus, it's best that City employees who are politically active keep that to themselves while at work or interacting with co-workers. Even talking to your subordinates about a particular candidacy could expose you to a charge of coercion: any time a boss asks a subordinate to do something, it's implied that there could be negative consequences for not doing it. If the "ask" is "political," it exposes the boss to charge of coercion. Why borrow trouble?

What about when I'm out at a work site and a member of the public or an employee of a contractor asks me whether I support a particular candidate?

You're still on the job, doing City work. We advise you not to respond directly to this question, and "demur" if you're asked such a question. Say: "I'm on City time, doing my job. I cannot discuss politics with you, but you are free to do your own political research and come to your own conclusion." Stick to that answer, even if the person peppers you with more questions.

Can I wear a political button to work, or while on the job? Can I have a campaign poster or mailer on display in my office?

No. City policy prohibits this while you are on City property (or driving a City vehicle or even in a City parking lot), or doing your job, or on City compensated time. Once you're off compensated time and off City-property, you can proudly wear or display whatever you wish, though never on City vehicles.

Can I make partisan political posts, or posts in favor of or against candidates for elected office, on my personal facebook or twitter page?

Per the City's Information Technology and Security Policies, **you may not use any social media platform operated or administered by the City, or that could reasonably be seen as reflecting official City policy or authority, for partisan political activity or purposes.**



What if I am asked about how to go about making a contribution to a particular candidate, or where to find that information? Can I give out campaign website information? If you are not on City compensated time or City property, you may (though we advise you not to give this information out to any person involved with your City work or department, and instead to answer them as though you were on the job, doing City work). But if you are on the job, we advise you to say: "You can easily find out this information by googling the candidate's name. That is all the information I can provide."

Can I make political contributions to a political campaign?

Yes, with restrictions. First, you may, as long as you don't make any political contribution on City property or City compensated time. Second, by Mayoral Executive Order, City employees may not make any political contributions to the Mayor or his political committee. Third, you are subject to the limit imposed by Illinois State law: \$5,600 for the election cycle (meaning the date of the last election to which the incumbent was elected until the date of next election for that office, whether a primary or consolidated election). If you have questions about that, please contact the Illinois State Board of Elections at 312-814-6440.

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This guide highlights key *dos* and *don'ts*. It's not a substitute for legal advice from the Board of Ethics. In the event of a discrepancy between this guide and the wording of the Governmental Ethics Ordinance, the Ordinance governs. For confidential guidance, please contact us.

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