



POLITICAL ACTIVITY AND ELECTION WORK: A PLAIN ENGLISH GUIDE FOR CITY OF CHICAGO EMPLOYEES AND OFFICIALS, WITH FAQs

With elections around the corner, in November 2014 and February 2015, we're publishing this revised, expanded reminder of ethics restrictions on political activities of City employees and officials. Being politically active—working on campaigns, making political contributions, etc.—is our right. For City of Chicago employees, it's protected by state law (the Local Governmental Employees Political Rights Act, 50 ILCS 135, et seq.). But, the City has laws that restrict us, as public servants, from doing certain things. Both City and state ethics laws prohibit public servants from improperly using taxpayer funds and public resources by engaging in such activity with government property, at work or on government time.

The important sections of the City's Governmental Ethics Ordinance are §§2-156-060, -135, and -140.

This guide highlights key *do's* and *don'ts*. It's not a substitute for legal advice from the Board of Ethics.

We include here 10 questions that we at the Board of Ethics are frequently asked about engaging in political or campaign activity. If your question isn't included, please call or email us for confidential advice ***before*** you take action. ***Remember: there's no such thing as a stupid ethics question.***



Q: What's meant by "political activity?"

A: The term includes most of what you would think:

- managing or working on any federal, state or local political campaign
- circulating candidate 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 political organizations or candidates
- soliciting votes on behalf of candidates or referenda
- helping to get voters to the polls
- distributing campaign literature, signs or other campaign material
- campaigning or running for any elective office



Q. I'm a City employee. Can I work for the local committee to elect someone to the U.S. Senate or the Governor's office by making phone calls or handing out leaflets to residents? Can I do that for a candidate running for Mayor? Alderman? City Clerk? City Treasurer?

A: Yes, you can, but know the following 3 restrictions:

1. You cannot perform any political activity during any "City compensated time."

What is compensated time? It's any time you're at your City job, or any time for which you're credited for any minimum City work time requirement. It does not include City holidays (like Pulaski, Presidents', or Columbus Days) or time on which you're on an approved leave, such as your furlough, vacation, lunch time, or your personal day.

2. You cannot ever use (or be on) City property or resources while engaging in or performing any political activity, even during your vacation, furlough, or lunch.

City property or resources include buildings that the City owns or leases, City-owned or -issued computers, tablets, laptops, smart phones or business cards—and your City title. But it does ***not*** include the Daley Plaza, the sidewalks, or the public way (though it does include

the parkway!). Relevant restrictions concerning property of the Chicago Park District, Chicago Transit Authority, and Chicago Public Schools are covered by those agencies' own ethics policies.

3. If you exercise "contract management authority" in your City job, then you cannot serve on a "political fundraising committee." But, you can still be politically active, as long as you follow the other rules described.

"Political fundraising committee" includes any PAC, "Super PAC," or candidate's official committee, and also any committee that handles money for the purpose of influencing any election.

"Contract management authority" means being involved in or directly supervising the formation or performance of a City contract (including drafting specs or scopes of services, reviewing RFP or RFQ responses, negotiating contracts, supervising vendors' performance, or signing off on vouchers by which vendors are paid). Please call the Board of Ethics if you're not sure whether you exercise this authority.



Q: Can I, a City employee, host a "meet-and-greet" gathering for a candidate for elected office at my home or a restaurant?

A. It depends. Hosting such an event involves dealing with caterers and others, which involves handling money for the purposes of influencing the outcome of an election. Thus, it constitutes "serving on a political fundraising committee." You cannot host this kind of event if you exercise contract management authority in your City job.



Q: Can I speak with my City co-workers about having them work for a campaign?

A: It's best not to. Why? You cannot require other City employees or officials to perform political activity as part of their job duties or during their time off, or compel or coerce them to make, not make or solicit political contributions, or knowingly solicit political contributions from any employee or official over whom you have supervisory authority. It's often said, oddly, but correctly: "all political activity must be voluntary."



Q: I'm not the candidate running for elected office, but can I solicit political contributions on behalf of another's political campaign? Can I circulate nominating petitions for signatures?

A: Generally yes—but you must be careful: Unless you yourself are the candidate for elected office, you cannot—in addition to restrictions on soliciting contributions from other City personnel, as described above—knowingly solicit or accept political contributions from any person or firm doing business with the City, or from any other City official or employee over whom you exercise supervisory authority. And, of course, you can't solicit, accept or make political contributions, circulate petitions or collect signatures on City property or during City compensated time.



Q: Can I make political contributions?

A: Yes. But know these 5 limitations:

1. A candidate's committee must report all contributions and contributors by law (so your contribution will become public record);
2. Executive branch employees and Mayoral appointees cannot make any political contributions to the Mayor, or to his committee;
3. No person can make a *cash* contribution exceeding \$250 to any candidate for City elected office (or to his or her authorized committee). Personal checks are not cash for this purpose;
4. Contributions by individuals to state or local candidates or elected officials, such as those running for elected City office, Governor, or Representative or Senator in Springfield, are currently limited by Illinois law to \$5,300 to any single candidate per "election cycle." This amount is adjusted by the State Board of

Elections in every odd calendar year. ("Election cycle" means the date of the last general (or consolidated) or runoff election at which the person occupying the office to which you'd like to contribute was elected, until the date of the next primary or consolidated election for that same office. Chicago has no primaries, but has runoffs if necessary, which are their own election cycles.) So you can contribute up to \$5,300 during an election cycle to each candidate or official you wish (other than the Mayor if you're an Executive branch employee or appointee—see above). For more information, see the website of the Illinois State Board of Elections:

<http://elections.illinois.gov/>

5. For contributions to candidates for federal elected office, such as United States Senator, the limits are typically \$2,500 per candidate per election (and \$100 for cash contributions). For more information, see:

<http://www.fec.gov/pages/brochures/contrib.shtml#Chart>

Contributions to PACs or "Super PACs" may also be subject to other federal laws and rules.



Q: Can I wear a political t-shirt or campaign button at work?

A: No. City policies provide that employees may not wear partisan political buttons or apparel at their work site. Employees who have contact with the general public must be especially mindful of this. But you may wear these materials on your way to or from your City worksite (but not in a City-owned or leased parking lot!).



Q: Can I display a political sign in the front yard of my home?

A: Yes. Your home is not considered City property.



Q: I just received an email at my City computer from a candidate's political committee, asking for contributions. What should I do?

A: Do not forward the email! Delete it immediately, and/or contact the sender and ask that your City email be removed from its list. You can receive such emails on your personal device and personal email.



Q: May a City office have applications on hand for election judge? Can I, as a City employee or official, serve as an election judge?

A: Yes. The Ethics Ordinance permits the distribution of applications for election judge at aldermanic offices, or other City property or buildings. But, we strongly recommend that: (i) City employees or officials not pick up these applications at an aldermanic office or on City property during their compensated time; and (ii) City employees or officials who are also party chairs or Ward Committeemen not sign or approve these applications at an aldermanic office (paid in whole or in part with City-appropriated funds) or on City property.

Further, City employees and officials may apply to be and serve as election judges. But: (i) they may not apply or obtain the approval or signature of a party chairman or Ward Committeeman while on City compensated time, or at an aldermanic office, or on City property; and (ii) if they do serve as election judges, they must do so on their own non-compensated time, subject to the City's Personnel Rules as applied to outside employment.

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