

POLITICAL ACTIVITY AND ELECTION WORK: A PLAIN ENGLISH GUIDE FOR CITY EMPLOYEES AND OFFICIALS

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 Local Governmental Employees Political Rights Act, 50 ILCS 135, *et seq.*). But City laws restrict us, as public servants, from improperly using taxpayer funds or public resources by engaging in political activity with or on City property, at work, or on City time.

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

This guide highlights key *dos* and *don'ts*. It's not a substitute for confidential advice from the Board of Ethics. We include here FAQs about political activity that we receive at the Board of Ethics. 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 trivial ethics question.**



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

A: The term includes what you'd think:

- managing or working on any federal, state or local political campaign (including for Governor, Member of Congress, Secretary of State, Mayor, etc.) or any referendum question;
- circulating or filing candidate petitions;
- organizing or participating in political meetings, rallies, or demonstrations;
- making or soliciting political contributions (including tickets for political fundraisers);
- preparing reports of campaign contributions;

- assisting at the polls on behalf of any political organization or candidate;
- soliciting votes or contributions on behalf of candidates or in connection with referenda;
- distributing campaign literature, signs or other campaign material;
- campaigning for any elective office.



Q. I'm a City employee. Can I work for the committee to elect someone to the state assembly in Louisiana by making phone calls? Can I do that for a candidate running for Judge of the Circuit Court of Cook County? Mayor? Can I communicate with candidates about their campaigns?

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

1. You cannot perform any political activity—like the activities above--during any "City compensated time." What is compensated time? It's any time you're at or doing 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, Memorial, or Labor Day) or time on which you're on an approved leave, such as furlough, vacation, or lunch, or a personal day.

2. You cannot ever use (or be on or in) 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 the City owns or leases, City-owned or -issued vehicles, computers, tablets, laptops, smart phones or business cards and email addresses—and your City title. But it does **not** include the Daley Plaza, sidewalks, or the public way (though it does include the parkway!). Relevant restrictions concerning property of the Chicago Park District, Chicago Transit Authority or 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, really 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, but you may attend one and contribute.



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 or compel other City employees or officials to perform political activity as part of their job duties or during their time off, and you cannot compel or coerce any City employee or official over whom you have supervisory authority to make, not make, or solicit political contributions. It’s often said, oddly, but correctly: “all political activity must be voluntary.”



Q: Can I express my support for a candidate on social media or elsewhere?

A: Yes, but not while you are on City compensated time or while using City property, which also means that you can’t post it on any official City page or official City social media account since those are considered City property. You must take care not to post images of City property, like the City seal or City logos, on your personal social media pages for political purposes. These same rules apply if you currently work for an incumbent running for re-election.



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 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, in, or with City property or resources, or during City compensated time.



Q: Can I make political contributions and attend political events?

A: Yes, but not on City compensated time or while in, on, or with City property. And, know these five (5) facts and limitations about political contributions:

1. All Illinois candidate committees must by law report all contributions and contributors (so your contribution will become public record);
2. **By Mayoral Executive Order, City employees and Mayoral appointees may not make any political contributions to the Mayor, or to her political committees, Lightfoot for Chicago or Light PAC;**
3. No person may make a *cash* contribution exceeding \$250 to any candidate for City elected office (or to their authorized committees). Personal checks are not cash for this purpose (note: Ward Committeeperson is not a City elected office, but contributions to candidates for this office are governed by state law);
4. Contributions by individuals to state or local candidates or elected officials, such as those running for Governor, Secretary of State or General Assembly, are limited by Illinois law with respect to contributions to single candidates at \$6,000 per "election cycle." The amount is adjusted by the Illinois State Board of Elections (“ISBE”) in every odd 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. For more information, see the ISBE's website:

<https://www.elections.il.gov/DocDisplay.aspx?Doc=/Downloads/CampaignDisclosure/PDF/ContributionSummary.pdf&MID=287> [note: certain persons are limited by City law to \$1,500 in contributions per year/per candidate, see <https://www.chicago.gov/content/dam/city/depts/ethics/general/Publications/Contractors%20May%202019.pdf>]; and

5. For contributions to candidates for federal elected office, such as United States Senator or Member of Congress, the limits are typically \$2,900 per candidate per election (and \$100 for cash contributions). For more information, see the Federal Election Commission's website:

<https://www.fec.gov/help-candidates-and-committees/candidate-taking-receipts/contribution-limits/>

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



Q: Can I wear a political t-shirt or campaign button at work, or have political posters on my office wall?

A: No. City policies provide that employees may not wear partisan political buttons or apparel or display political literature at the City work site. City employees whose worksite has public visibility must be especially mindful of this. This is true of all political races, whether they are federal, state, municipal or local.



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

A: Yes. Your home is not 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! By merely receiving a political email while at work or on your City email account, you have not violated the Ethics Ordinance. But, we advise you to delete it immediately, and contact the sender and ask that your City email be removed from

its list. You may receive such emails on your personal device and personal email.



Q: Can a City or aldermanic office have applications on hand for election judge, or voter registration applications? Can I, as a City employee or official, serve as an election judge? Can I, a Ward Office employee, assist my constituents in completing their voter registration applications?

A: Yes. These documents are by themselves politically or candidate-neutral. The Ethics Ordinance permits distribution of applications for election judge or voter registration at aldermanic offices, or other City buildings.

But: (i) City employees or officials who are also party chairs or Ward Committeepersons may not sign or approve these applications at an aldermanic office or on City property but should take them off-site or to a political office to do so; and (ii) when assisting constituents in completing applications, NO POLITICKING, CANDIDATE OR PARTY ENDORSEMENTS OR RECOMMENDATIONS MAY BE DISCUSSED.

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 chair or Ward Committeeperson while on City compensated time, or at an aldermanic office, or on City property; and (ii) if they 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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