

Guidelines for Election Year and Employee Activity During Election Year

It is the season for filing for most county, state, and federal offices and I want to reiterate the County's guidelines for election year and employee activity during an election year.

On March 10, 1980, the Board of Commissioners adopted four guidelines for the County Manager and departments to use during an election to ensure each candidate receives prompt and accurate information. These are as follows:

1. Requests for information received by the staff from any candidate will be provided. Other candidates making an identical request at a later date will be supplied with identical information. For example, separate requests by two candidates for a statement of bonded indebtedness or most recent audit will be given to each with the same information.
2. Information furnished will be of factual nature--it will be furnished without opinion or comment, and conclusions or inferences drawn will be of the candidate's own analysis.
3. Requests for information received by the staff from candidates other than incumbents cannot take precedence over the regular functioning of County business but will be accommodated as soon as possible.
4. In those instances when the amount of material requested by candidates other than incumbents is prohibitive, the County Manager's Office may choose not to undertake the expense of duplication—for example, a request for a copy of the minutes of the Board of Commissioners for a year or more. In such cases, a copy of the material will be made available for on-premises inspection, or the candidate may choose to undertake the expense of duplication.

In addition, the Catawba County Code sets forth the following with regard to employee activity:

Sec. 28-245. Political activity restricted.

- a. As noted in G.S. 153A-98, the purpose of this section is to ensure that county employees are not subject to political or partisan coercion while performing their job duties, to ensure that employees are not restricted from political activities while off duty, and to ensure that public funds are not used for political or partisan activities.

It is not the purpose of this section to allow infringement upon the rights of employees to engage in free speech and free association. Every county employee has a civic responsibility to support good government by every available means and in every appropriate manner. Employees shall not be restricted from affiliating with civic organizations of a partisan or political nature, nor shall employees, while off duty, be restricted from attending political meetings, or advocating and supporting

the principles or policies of civic or political organizations, or supporting partisan or nonpartisan candidates of their choice in accordance with the Constitution and laws of the State and the Constitution and laws of the United States of America.

- b. The following is the policy of the County:
- (a) Political activity by an employee during working hours, while in service to the county, or within the scope of county employment, is strictly prohibited.
 - (b) The use of county supplies, equipment, communications equipment, including Internet and email, is strictly prohibited.
 - (c) County employees are protected from political interference in performing the duties of their job.
 - (d) No employee while on duty or in the workplace may
 1. Use his official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for political office; or
 2. Coerce, solicit, or compel contributions for political or partisan purposes by another employee.
 3. No employee may be required as a duty or condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes.
- c. Employees as candidates for office. To become a candidate means that an employee has taken some formal or public action that may lead to being elected or appointed to a political office. It means the employee is seeking political office and for purposes of this ordinance, an employee will be recognized as becoming a candidate when
- (a) the employee forms any kind of fundraising committee or campaign committee, or
 - (b) the employee announces through the media or mail that the employee intends to become a candidate, or
 - (c) the employee files an official document, such as a notice of candidacy, with any Board of Elections, or
 - (d) anyone else does any of the acts described above on the employee's behalf or starts a write-in campaign for the employee and the employee refuses to disavow such act or otherwise make the employee's intentions clearly known through an appropriate public announcement. Employees are required to notify their department head prior to such events taking place. Being a member of the board of commissioners is inherently in conflict with being an employee with the county. It is divisive and may destroy the public trust between the existing commissioners and county management. Therefore, on the day an employee becomes a candidate for county commissioner, said employee will take a leave of absence.

This policy covers employees on County time or County property unless vacation time is taken to participate in political activities. Examples of activity include, but are not limited to, buttons, stickers, solicitations in the office, campaign material, etc.