

WESTMORELAND COUNTY
POLICY AND PROCEDURES

Subject: POLITICAL ACTIVITY

Policy Number: I. 15

Effective Date: 3/28/19

I. STATEMENT OF PURPOSE

The purpose of this policy is to provide clear standards of conduct for all Westmoreland County employees in regards to political activity.

II. SCOPE

This Political Activity policy applies to all Westmoreland County employees, except those covered by the Court's existing "Code of Conduct for Employees of the Unified Judicial System" policy. County employees covered by other political activity restrictions, such as the Pennsylvania Public Official and Employees Ethics Act, the Hatch Act, or the Pennsylvania Civil Service Commission statutes and regulations shall be governed by those policies as well.

III. PROHIBITED ACTIVITIES

While Westmoreland County is sensitive to the employee's First Amendment rights, the work place must remain professional and non-partisan. Westmoreland County employees are encouraged to exercise the rights and responsibilities of citizenship, but are prohibited from:

- A. Engaging in political activities that utilize County funds or resources for political activities.
- B. Directly or indirectly coercing, attempting to coerce, or commanding an employee to engage in:
 - 1. Political campaign activities during work hours such as directly or indirectly soliciting campaign contributions, preparing campaign materials, coordinating or aiding in political campaign activities, circulating petitions during work hours, or petitioning a working employee during petitioner's non-working hours.
- C. Using County equipment or materials, such as, but not limited to: computers, printers, photocopiers, facsimile machines, postage, paper, or any other office

supplies to develop, prepare, produce, copy, distribute or deliver campaign or political materials.

- D. Using County offices, buildings, or grounds for political campaigns or meetings, or for the distribution or delivery of campaign materials (unless the location is an existing public rental space or considered open spaces and which are generally open to members of the public).
- E. Using Westmoreland County vehicles to deliver campaign materials, or for any other campaign activities.
- F. Directly or indirectly coercing, attempting to coerce, or commanding an employee to contribute or pay anything of value to a political party, committee, organization, agency, or person for political purpose, or to directly or indirectly promise or threaten a change in an employee's work or working conditions as consideration for campaign activities, support, or contributions.
- G. Displaying political campaign materials on the employee's personal attire or carried articles such as purses, briefcases, backpacks or similar bags at any time while on County property for work purposes (including entering or leaving the workplace and during temporary breaks).
- H. Displaying political campaign materials on the employee's desk or in the vicinity of the employee's work area. "Political campaign materials" shall include partisan political signs, pins, badges, brochures, articles of clothing with the candidate's name or political campaign message and other similar items.

IV. REQUESTS FOR CLARIFICATION

An employee seeking clarification on a specific issue may seek an advisory opinion from the Pennsylvania State Ethics Commission regarding public officials or public employees. Typically, a person who acts in good faith on an advisory opinion is not subject to penalties by the issuing board.

Nothing in this policy shall be construed to prevent a County employee from participating in political activity not restricted by this policy, such as: becoming or remaining a member of any political party, club, or organization, attending political meetings and activities, participating in local or state political campaigns, expressing views on political matters outside of working hours, or exercising his or her rights at the ballot box. Employees must engage in all such activities during nonworking hours, except union officers in the normal conduct of union activities.

V. REPORTING VIOLATIONS/FILING A COMPLAINT

The responsibility of any employee, appointee, or elected official who observes any form of restricted prohibited activity should report such conduct to his supervisor, department head, the Office of Human Resources, or the Westmoreland County Solicitor.

The State Ethics Commission is responsible for enforcing the Public Official and Employee Act (Act 93 of 1998). Conduct by Public Officials or public employees that does not comply with the Act should be reported to the commission. The Act, in part, restricts Public Officials and Employees from:

- A. Engaging in conduct that constitutes a conflict of interest, includes a Public Official's use of his office, County employees, or monies for private financial benefit.
- B. Seeking or accepting improper influence, honorariums, severance, and contingent payments.
- C. Entering into a contract with the governmental body with which the official is associated.

A complete list of restrictions and definitions is located at 65 Ps C.S.A. Section 1103. Contact the State Ethics Commission at: www.ethics.state.pa.us.

VI. CONFIDENTIALITY

A person shall not disclose information relating to a complaint submitted for investigation, except to initiate, participate in or respond to, an investigation by the Pennsylvania State Ethics Commission, law enforcement agency, County management, or to seek advice from legal counsel.

VII. NO RETALIATION

Retaliation to any employee involved with a complaint or investigation will not be tolerated. Any employee involved in retaliation may face disciplinary action up to and including termination of employment.

VIII. POLICY VIOLATIONS

Any employee who violates this policy may be subject to disciplinary action up to and including suspension or termination.