

# MANAGEMENT DIRECTIVE

## Commonwealth of Pennsylvania Governor's Office

<b>Subject:</b> Prohibition of Activities Not Specifically or Directly Connected with the Official Business of the Commonwealth on Commonwealth Property	<b>Number:</b> 205.14 Amended
<b>Date:</b>  November 21, 2011	<b>By Direction of:</b>  Kelly Powell Logan, Secretary of Administration
<b>Contact Agency:</b> Office of Administration, Legal Office, Telephone 717.787.9865	

**This directive establishes policy, responsibilities, and procedures prohibiting activities which are not specifically or directly connected with the official business of the commonwealth in commonwealth facilities. Marginal are excluded due to major changes.**

- 1. PURPOSE.** To establish policy, responsibilities, and procedures prohibiting the use of commonwealth facilities by commonwealth employees, other persons, groups or organizations to conduct activities which are not specifically or directly connected with the official business of the commonwealth including commercial, retail, or business activities.
- 2. SCOPE.** This directive is applicable to all agencies, officials, employees, offices, and facilities under the Governor's jurisdiction. It applies to all activity not specifically or directly connected with the official business of the commonwealth, including, but not limited to, commercial or retail activities; business activities, whether for profit or nonprofit purposes; the distribution of leaflets and written materials; and all political activity, regardless of the partisan or nonpartisan nature of the activity.
- 3. OBJECTIVE.** This policy is being promulgated to enable the commonwealth to conduct its official business in the least disruptive manner and to protect the privacy and sensitivities of clients, recipients of government benefits, and all members of the public who have legitimate business with the commonwealth in a commonwealth facility, while promoting nonpartisan voter registration.

**4. DEFINITIONS.** For purposes of this directive, the following definitions apply:

- a. Client Service.** The provision of service by employees of an agency to members of the public on a routine basis, such as processing applications for, or handling matters related to, government benefits, services or assistance.
- b. Commonwealth Facilities.** Buildings or parts of buildings, offices, and grounds owned or leased by the commonwealth for use by an agency.
- c. Legitimate Business.** Business specifically or directly connected with the official business of the commonwealth, or nonpartisan voter registration activities.
- d. Nonpartisan.** Based on, influenced by, affiliated with, or supporting the interests or policies of no single political party.
- e. Official Business of the Commonwealth.** Legally defined or authorized functions of or services provided by an agency, or employment related matters involving commonwealth employees.
- f. Partisan.** Support in favor of a political party.

**5. POLICY.**

- a.** Commonwealth facilities are to be used exclusively for conducting official business of the commonwealth, or by persons having legitimate business therein.
- b.** Commonwealth facilities and equipment shall be used only by individuals or organizations that have legitimate business on the premises. Commonwealth facilities and equipment shall not be used by employees, vendors, retailers, or the public for purposes not specifically or directly connected with the official business of the commonwealth, or other activity authorized in accordance with this directive.
- c.** All activity not specifically or directly connected with the official business of the commonwealth is strictly prohibited in commonwealth facilities at all times, except as authorized in accordance with paragraph 5.d. Examples of the kinds of activities prohibited are:
  - (1)** Commercial, retail, or business activities, whether for profit or nonprofit purposes, including sales, negotiations, the taking of orders, displaying of wares, and marketing of products or services to commonwealth employees or the public.
  - (2)** Political activity of any kind, regardless of the partisan or nonpartisan nature of the activity.
  - (3)** Distribution of leaflets and written materials, except as provided in paragraph 5.d.

- (4) Soliciting, harassing, intimidating, coercing, or in any manner invading the privacy of recipients of government services or benefits or individuals who have legitimate business with the commonwealth.

**NOTE:** The above examples are illustrative of the kinds of activities that are prohibited when they are not specifically or directly connected with the official business of the commonwealth. They do not constitute an exhaustive list of prohibited activities.

- d. The commonwealth will permit persons to enter common, public areas of commonwealth facilities during the hours they are open to the public, for the purposes of distributing nonpartisan literature or printed material related to voter registration, and to solicit voter registrations and collect completed voter registration mail applications for timely transmittal to the appropriate county voter registration commission. All groups or individuals engaging in such solicitations and collections shall:

- (1) Be in compliance with the applicable statutory provisions. This includes ensuring that any individual offering or providing assistance in the preparation or delivery of the voter registration application sign the application in the spaces so provided.

- (2) Distribute only blank voter registration applications which contain no extraneous markings.

- (3) Not interfere with normal operation of the office, nor shall they interrupt clients, recipients of government benefits, or other members of the public, in their interactions with the employees or agents of the commonwealth engaged in official business.

- (4) Not impede ingress or egress of people using the facility.

- (5) Pick up and deposit in trash receptacles any of their own materials discarded within the facility prior to leaving the facility.

- e. This policy is not to be construed as a declaration that commonwealth facilities covered by this policy are public forums.

## 6. RESPONSIBILITIES.

- a. **Agency Heads** shall ensure that this policy is disseminated and enforced, and that it is included in agency regulations promulgated pursuant to *Section 506* of the *Administrative Code*. Exceptions to this policy, for unusual situations, may be requested by agency heads from the Secretary of Administration.

- b. **Supervisors** shall ensure that activities not specifically or directly connected with the official business of the commonwealth or otherwise authorized in accordance with this directive are prohibited in commonwealth facilities. Supervisors who fail to comply with this directive will be subject to appropriate disciplinary action.

- c. **Commonwealth Employees** are required to comply with this directive. Any commonwealth employee who fails to comply with this directive will be subject to appropriate disciplinary action.

**7. PROCEDURE.** Any agency noting a violation of the policy is to immediately report it to the Office of Administration, Deputy Secretary for Human Resources Management, at telephone 717.787.8191.

**This directive replaces, in its entirety, *Management Directive 205.14*, dated February 2, 1988.**