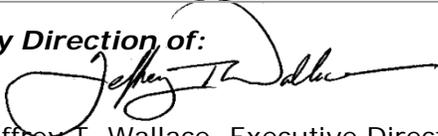


MANAGEMENT DIRECTIVE

Commonwealth of Pennsylvania Governor's Office

Subject: Political Activities of Classified Service Employees	Number: 580.25 Amended
Date: October 7, 2011	By Direction of:  Jeffrey T. Wallace, Executive Director, State Civil Service Commission
Contact Agency: State Civil Service Commission, Bureau of Technical and Information Services, Telephone 717.787.4516	

This directive establishes policy, responsibilities, and procedures regarding political activities in which classified service employees may or may not participate. Marginal dots are excluded due to major changes.

- 1. PURPOSE.** To provide classified service employees with the policy, responsibilities, and procedures applicable to assure compliance with the political activity guidelines.
- 2. SCOPE.** Applies to all state agencies, which are identified in *Civil Service Act, 71 P.S. § 741.3(d)*, and to state agencies and political subdivisions of the commonwealth which have contracts with the State Civil Service Commission (SCSC) for services and facilities as provided for in *Civil Service Act, 71 P.S. § 741.212*.
- 3. OBJECTIVE.** To ensure that classified service employees are provided with information on permitted and prohibited political activities and are aware of the penalties for violating prohibited political activities.
- 4. DEFINITIONS.**
 - a. Civil Service Leave of Absence.** A temporary interruption of employment for which the employee is given a specified period of leave for purposes such as illness, school attendance, military duty or training, or employment in a non-civil service position.

- b. Contribution.** Any gift, subscription, loan, advance, deposit of money, allotment of money or anything of value given or transferred by one person to another, including by cash, by check, by draft, through a payroll deduction or allotment plan, or by pledge or promise, whether or not enforceable, or otherwise.
- c. Election.** A primary, municipal, special or general election.
- d. Partisan.** When used as an adjective, refers to a political party.
- e. Political Fund.** Any fund, organization, political action committee or other entity that, for purposes of influencing in any way the outcome of any partisan election, receives or expends money or anything of value or transfers money or anything of value to any fund, political party, candidate, organization, political action committee or any other entity.

5. POLICY.

- a.** Classified service employees may not use their official authority or influence for the purpose of interfering with or affecting the result of an election.
- b.** Classified service employees **may not** take an active part in political management or in a political campaign. Activities which are prohibited include, but are not limited to, the following:
 - (1)** Serving as an officer of a political party, a member of a national, state or local committee of a political party or an officer or member of a committee of a partisan political club, or being a candidate for any of these positions.
 - (2)** Organizing or reorganizing a political party organization or political club.
 - (3)** Directly or indirectly soliciting, receiving, collecting, handling, disbursing or accounting for assessments, contributions or other funds for a partisan political purpose.
 - (4)** Organizing, selling tickets to, promoting or actively participating in a fundraising activity of a candidate in a partisan election or of a political party, or political club.
 - (5)** Taking an active part in managing the political campaign of a candidate for public office in a partisan election or a candidate for political party office.
 - (6)** Becoming a candidate for, or campaigning for, an elective public office in a partisan election.
 - (7)** Soliciting votes in support of or in opposition to a candidate for public office in a partisan election or a candidate for political party office.
 - (8)** Acting as a recorder, watcher, challenger or similar officer at the polls on behalf of a political party or a candidate in a partisan election.

- (9) Driving voters to the polls on behalf of a political party or a candidate in a partisan election.
 - (10) Endorsing or opposing a candidate for public office in a partisan election or a candidate for political party office in a political advertisement, a broadcast, campaign, literature or similar material.
 - (11) Serving as a delegate, alternate or proxy to a political party convention.
 - (12) Addressing a convention, caucus, rally or similar gathering of a political party in support of or in opposition to a partisan candidate for public office or political party office.
 - (13) Initiating or circulating a partisan nominating petition.
 - (14) Soliciting, paying, collecting or receiving a contribution at or in the workplace from any employee for any political party, political fund or other partisan recipient.
 - (15) Paying a contribution at or in the workplace to any employee who is the employer or employing authority of the person making the contribution for any political party, political fund or other partisan recipient.
- c. Classified service employees, while not on duty or in a uniform that identifies them as an employee, **may** engage in the following:
- (1) Registering and voting in any election.
 - (2) Expressing an opinion as an individual privately and publically on political subjects and candidates.
 - (3) Displaying a political picture, sticker, badge or button when not on duty and at locations other than the workplace.
 - (4) Participating in the nonpartisan activities of a civic, community, social, labor or professional organization, or a similar organization.
 - (5) Being a member of a political party or other political organization or club and participating in its activities to the extent consistent with this directive.
 - (6) Attending a political convention, rally, fundraising function or other political gathering.
 - (7) Signing a political petition as an individual.
 - (8) Making a financial contribution to a political party or organization.
 - (9) Being politically active in connection with a question which is not specifically identified with a political party, such as a constitutional amendment, referendum, approval of a municipal ordinance or any other question or issue of a similar character.

- (10) Participating fully in public affairs, except as prohibited by law, in a manner which does not materially compromise efficiency or integrity as an employee or the neutrality, efficiency or integrity of a commonwealth agency or political subdivision of the commonwealth which contracts with the SCSC for services and facilities as provided for in the *Civil Service Act*.
- d. Classified service employees who knowingly or unknowingly violate the political activity prohibitions of the *Civil Service Act* are subject to a range of discipline. Based on the nature of the violation, the SCSC may impose a penalty of suspension without pay of up to 120 working days, or if warranted, direct the employee's removal.
- e. The *Hatch Act (United States Code, Title 5, Chapter 15 – Political Activity of Certain State and Local Employees)* contains language regarding permitted and prohibited political activities which differs from the *Civil Service Act*. The *Hatch Act* applies to classified and unclassified service employees connected with programs financed in whole or in part by loans or grants made by federal agencies. Questions regarding the *Hatch Act* should be directed to the:

U.S. Office of Special Counsel
Hatch Act Unit
1730 M Street, N.W., Suite 218
Washington D.C., 20036-4505
Telephone: 1.800.854.2824 or 202.254.3650
Fax: 202.254.3700

- f. *Executive Order 1980-18 Amended, Code of Conduct, Part 1, Item 8*, restricts certain political activities of all commonwealth employees of the Executive Branch under the Governor's jurisdiction. Questions regarding the Code of Conduct should be directed to the:

Governor's Office of Administration
Office of Human Resources Management
Room 517 Finance Building
Harrisburg, Pennsylvania 17120
Telephone: 717.787.8191

- g. Agencies may prohibit or further limit the activities indicated in paragraph 5.c. of this directive if participation in these activities would interfere with the efficient performance of official duties, or create a conflict or apparent conflict of interest.
- h. No officer or employee of the commonwealth shall discriminate against any person in recruitment, examination, appointment, training, promotion, retention or any other personnel action with respect to the classified service because of political opinions or affiliations.

i. Exceptions:

- (1) Classified service employees are permitted to seek and accept appointment, nomination and election to the office of school board director. However, they are not permitted to campaign for, endorse or otherwise participate in a campaign on behalf of other candidates running for school board director. **Note:** Employees in federally funded positions should be advised that the political activity prohibitions within the *Hatch Act* may prohibit classified service employees from running for or holding the office of school board director.
- (2) The political activity prohibitions indicated in paragraph 5.b of this directive do not apply to classified service employees who have been furloughed or who are on a civil service leave of absence. Upon return to the classified service, including employment of a temporary nature, employees must immediately cease all partisan political activities.
- (3) Employees elected or appointed to political offices prior to beginning civil service employment, while furloughed or while on a civil service leave of absence may complete the remaining portion of their term of office as long as the duties, while in office, do not conflict with civil service employment or violate the prohibitions indicated in paragraph 5.b. of this directive. Additionally, employees may not run for or be nominated to a new term of office.

j. References: *Civil Service Act, 71 P.S. §§ 741.207 and 741.905.1 through 741.905.2(g)(7); 4 Pa. Code §§ 103.11 through 103.13; and Management Directive 580.30, Civil Service Leave of Absence and Return Rights.*

6. RESPONSIBILITIES.

a. Appointing Authorities shall:

- (1) Ensure classified service employees are provided with information on permitted and prohibited political activities.
- (2) Report to the SCSC any actions which appear to violate the political activity prohibitions contained within this directive. Contact should be directed to the:

State Civil Service Commission
Bureau of Technical and Information Services
3rd Floor, Strawberry Square Complex
320 Market Street
Telephone: 717.787.4516
Fax: 717.783.0419

Or for U.S. Postal Service deliveries:
P.O. Box 569
Harrisburg, Pennsylvania 17108-0569

Or email at: ra-cs-politicalactivity@pa.gov

- (3) Provide SCSC staff who are investigating alleged violations of political activity prohibitions with assistance, information and facilities, as may be required to carry out the investigation.

b. The State Civil Service Commission shall:

- (1) Provide guidance to agencies and individuals on permitted and prohibited political activities as they relate to classified service employees.
- (2) Investigate alleged violations of political activity prohibitions contained within the *Civil Service Act*.
- (3) At its discretion, impose penalties on classified service employees found to be in violation of political activity prohibitions contained within the *Civil Service Act*.

7. PROCEDURES.

- a. Agencies shall provide newly hired classified service employees with a copy of the SCSC's informational pamphlet, "*Political Activity Guidelines for Civil Service Employees*" and ensure the information contained within the pamphlet is made available as part of the agency's new employee orientation program and reiterated to classified service employees annually thereafter.
- b. "*Political Activity Guidelines for Civil Service Employees*" can be obtained by visiting the SCSC's website at www.scsc.pa.gov and logging on the human resource website. Appointing authorities are encouraged to replenish stock by use of their own reproduction facilities. The pamphlet may also be obtained from the:

State Civil Service Commission
Reproduction and Distribution Unit
Basement, Strawberry Square Complex
320 Market Street
Telephone: 717.787.5632

Or for U.S. Postal Service deliveries:
P.O. Box 569
Harrisburg, Pennsylvania 17108-0569

This directive replaces, in its entirety, *Management Directive 580.25* dated September 30, 1992.