



**DRAFT**

<b>Subject:</b> Political Activity	<b>Policy/Procedure Number:</b> 00010
<b>Effective Date:</b> TBD	<b>Review Date:</b>
<b>Applicable To:</b> VT State Legislative Employees and Pages, except staff supporting the Speaker and Senate President Pro Tempore	<b>Revision Date:</b>
<b>Issued By:</b> Legislative Office of Human Resources	<b>Approved By:</b> Human Resources; Joint Legislative Management Committee

### **PURPOSE AND POLICY STATEMENT**

The offices of the Vermont General Assembly are nonpartisan and committed to serving all members of the General Assembly equally, regardless of individual employees' political beliefs or party affiliation. Members of the General Assembly should have confidence that each employee will do the employee's best to assist the member in performance of legislative duties regardless of the member's views and political affiliations. Given the importance of the nonpartisan nature and reputation of the legislative offices covered by this policy, employees of these offices must (1) conduct themselves in a nonpartisan manner while performing their jobs; (2) avoid acting in a manner that may create the appearance of bias, partisanship, favoritism, or a conflict of interest, as outlined in this policy; and (3) provide objective and accurate information and support to all members of the General Assembly.

Employees are expected to use good judgment and keep the above objectives in mind when making decisions about their personal political activities. Some activities that may be generally permissible (e.g., contributions to a charity or policy group that advocates at the State House) may not be appropriate for employees who are assigned to work on a particular issue or topic; who are assigned to a particular committee; or who are otherwise directly engaged in assisting with the legislative process related to those interests or issues. Employees are encouraged to seek the advice of their office director or the Legislative Office of Human Resources if they have questions about whether an activity is permissible, as circumstances vary depending on the position and the activity. No employee will be subject to discipline for inquiring, in good faith, about the propriety of an activity under this policy.

This policy is not intended to prevent an employee from voting or participating actively in the employee's local community. This policy is also intended to

protect employees' right to refrain from supporting or opposing any particular candidate or cause.

In addition to this policy, staff are required to comply with the State ethics law, which requires employees to avoid any conflict of interest or the appearance of a conflict of interest. (See 3 V.S.A. § 1203.)

Violation of this policy could lead to discipline up to and including termination of employment.

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## **DEFINITIONS**

**Campaign**—any organized or coordinated activity undertaken by one or more persons, any part of which is designed to influence the nomination, election, or defeat of any candidate or the passage, defeat, or modification of any public question.

**Candidate**—an individual who has taken any affirmative action to become a candidate for public office. A person takes affirmative action by (A) accepting a campaign contribution or making a campaign expenditure directly or indirectly; (B) filing the requisite petition to run for State or federal office or being nominated for such an office by primary or otherwise; or (C) publicly announcing that the person seeks such an office.

**Contribution**—a payment, distribution, advance, deposit, loan, or gift of anything of value, paid or promised to be paid (whether or not the promise is legally enforceable) to a person or political committee for the purpose of supporting or opposing one or more campaign.

**Employee**—any current Vermont State legislative employee or page excluding staff supporting the House Speaker and Senate President *Pro Tempore*.

**Local Election**—any election that deals with the selection of persons to fill public office or the settling of public questions solely within a single municipality; any election for a position on a school board encompassing one or more municipalities; and any election to settle a public question in several municipalities, in which the municipalities must unanimously concur if the question is to be approved.

**Nonpartisan**—for the purposes of this policy and in the scope of employment, not associated with or biased for or against a political party, political ideology, or political issue.

**Partisan**—related to a State or national political party.

**Partisan Election**—an election, whether primary, general, or special, in which any of the candidates is nominated or elected as representing a political party.

**Political Activity**—any activity that is directed toward (A) the success or failure of a candidate in an election for State or Federal office or (B) advocacy in support for or in opposition to a political question or issue at the State or federal level.

**Political Paraphernalia**—an object, including a document, that is directly associated with or can reasonably be perceived to be directly associated with supporting or opposing a candidate, political party, or advocacy organization or with taking a position on a specific cause or issue that is before or may come before the General Assembly.

**Political Party**—a national political party, State political party, or an affiliated organization.

**State Office**—A State, legislative (excluding the Sergeant at Arms, the Secretary of the Senate, and the Clerk of the House), or county office, as those terms are defined in 17 V.S.A. § 2103. A State office does not include any office elected by local election, as defined in that section.

**Working Hours**—The hours of the day when the employee is performing work, is regularly scheduled to perform work, or is otherwise expected to perform work for the General Assembly. Working hours do not include time when the employee is “off the clock,” such as during a lunch break, while using accrued time, or when taking a scheduled day off. For the purposes of this policy, employee requests for alternate schedules or use of time off shall be handled in the same manner as any other such request.

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In order to ensure the impartiality and effectiveness of legislative staff, the following rights and obligations apply to all Employees:

**Employees may engage in some political activities without restrictions, including:**

- Voting and registering to vote.
- Displaying political signs in the employee’s yard or at the employee’s residence.
- Putting a political bumper sticker or sign on a personal vehicle and parking it in a legislative parking lot, provided that the bumper sticker or sign does not relate to a candidate for the General Assembly.

**Employees may engage in some political activities outside of working hours, including:**

- Working as a volunteer on the campaign of their parent, child, spouse, or domestic partner.
- Running for office in local elections, to include active campaigning, with notice to the employee's supervisor.
- Assisting in nonpartisan voter registration drives.
- Participating in campaigns for local office and advocating for or against local political issues.
- Attending political rallies and meetings in support of or against (A) candidates for State and federal office and (B) State and federal political issues, provided that the employee is not speaking at, organizing, managing, or otherwise assisting in conducting the rally or meeting.
- Signing nominating petitions.
- Campaigning for or against constitutional proposals that have been submitted to the voters in accordance with Vt. Const. Ch. II, § 72, municipal ordinances, or other public questions.
- Displaying political paraphernalia, such as a button, badge, or political clothing.
- Distributing campaign material on behalf of a partisan political organization.
- Circulating a nominating petition on behalf of the employee's parent, child, spouse, or domestic partner for a State office or federal office.

**Employees shall not at any time during their employment with the General Assembly:**

- Use government funds, equipment, supplies, or personnel while participating in political activity.
- Use their official authority, influence, or position to interfere with or affect the result of a partisan election or a nomination for elective office, including using an official title or inviting or suggesting that subordinates or colleagues attend or undertake any political activity.
- Use their official authority, influence, or position to coerce any person to participate in political activity.
- Use their official authority, influence, or position to directly or indirectly coerce, attempt to coerce, command, or advise in a coercive fashion any other employee to pay, lend, or contribute money or anything of value to a political party, candidate, committee, organization, agency, or person for political purposes.
- Utilize any General Assembly resources, including e-mail accounts and office supplies, to distribute any political material unrelated to a legitimate legislative request for services.
- Engage in political activity while wearing a uniform or official insignia or while otherwise identified as a staff person of the General Assembly.

- Perform research or other work for a member of the General Assembly that is specifically for use in a political campaign. Incumbent members of the General Assembly running for office shall continue to receive assistance in connection with their ongoing legislative responsibilities.
- Testify before the General Assembly in the employee's personal capacity on any subject.
- Run for any State or federal office or work as an employee or volunteer on a campaign for any State or federal political office, except as set out above for the campaign of a parent, child, spouse, or domestic partner.
- Participate in the proceedings of a political party or convention, or serve as a delegate, alternate, or proxy to a political party convention or as a member or officer of a political party or committee.
- Contribute money to the political campaigns of candidates for the Vermont General Assembly or candidates who are currently members of the Vermont General Assembly, except that an employee may contribute to the campaign of a parent, child, spouse, or domestic partner.
- Fundraise, solicit, or collect contributions on behalf of a partisan political group or a candidate for State or federal office.
- Organize or manage political meetings, rallies, political parties, clubs, or organizations.
- Circulate a nominating petition on behalf of a candidate for State or federal office, except as set out above regarding the employee's parent's, child's, spouse's, or domestic partner's petition.
- Lobby the General Assembly or legislators, regardless of whether the employee receives compensation, on behalf of an organization or interest group.
- Use a personal vehicle bearing a political sticker, sign, or other advertisement while engaging in official General Assembly business.

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This document is subject to change and is not intended to establish a contract of employment or any contractual rights.

Employees with questions, concerns, or disputes with the content of this policy must notify their direct supervisor/director or the Legislative Office of Human Resources at the Vermont General Assembly, Montpelier, VT, in writing, which may include e-mail.