



CITY OF PHILADELPHIA BOARD OF ETHICS

FREQUENTLY ASKED QUESTIONS: POLITICAL ACTIVITY RESTRICTIONS

1. To whom do the Charter political activity restrictions apply?

Philadelphia Home Rule [Charter Section 10-107](#) imposes restrictions on the political activity of City officers and employees. The restrictions do not apply to spouses or other family members of City officers and employees.

2. Do the political activity restrictions apply in the same way to all City officers and employees?

No. Compared to most City employees, the political activity restrictions apply differently to: (1) elected officials; (2) City Council employees; and (3) members of City boards and commissions that do not exercise significant government powers. This document does not address these three categories of individuals.

3. What is “political activity” that is subject to these restrictions?

For these purposes, political activity is an activity that is directed toward the success or failure of a political party, candidate, or partisan political group.

4. What is a “partisan political group”?

A partisan political group is any committee, club, or other organization that is affiliated with a political party or candidate or whose primary purpose is to engage in political activity. For example, political committees are partisan political groups. A group would not qualify as a partisan political group solely because it is left- or right-leaning on policy issues.

5. What are some prohibitions under the political activity restrictions?

A City employee may not:

- engage in political activity while on duty, in City uniform, or using City resources;
- engage in political activity in coordination with a political party, candidate, or partisan political group, such as by volunteering for a candidate’s campaign;
- use his or her title, status, or position as a City employee for political purposes, including requesting or suggesting that a subordinate employee participate in political activity; or
- be in any manner involved in collecting or soliciting contributions intended for a political purpose, which is any money or thing of value received by a political committee, political party, partisan political group, or candidate’s campaign.

6. Is a City employee permitted to engage in personal political activity and political expression?

Yes, political activity and political expression are permissible while a City employee is off duty and not in a City-owned or leased property as long as the employee: (1) does not use a City title, position, uniform, or City resources; (2) does not engage in activities that in any manner involve the solicitation or collection of contributions intended for a political purpose; and (3) does not act in concert or coordination with a political party, candidate, or partisan political group.

7. May a City employee use social media to engage in personal political activity and political expression?

Yes, as long as a City employee: (1) does not use his or her title or status as a City employee; (2) does not engage in activity that involves the solicitation or receipt of contributions intended for a political purpose; and (3) does not include in posts anything that was created by, or links to information created by, a political party, candidate, or partisan political group. Note that a City employee is permitted to become a “friend” or “fan” of, or “like” the page of a political party, candidate, or partisan political group and is permitted to “follow” the Twitter account of a political party, candidate, or partisan political group.

For more information on social media use, see Subpart H of [Regulation 8](#), [General Counsel Opinion 2017-506](#) (personal social media use), and [General Counsel Opinion 2017-505](#) (official capacity use of City social media accounts).

8. May a City employee volunteer for a candidate’s campaign?

No. A City employee is prohibited from volunteering for a candidate’s campaign, assisting with a campaign event, or distributing campaign literature created by a candidate, political party, or partisan political group. For example, as illustrated by [General Counsel Opinion 2017-501](#), a City employee is prohibited from contributing to the policy positions and policy papers of a candidate’s campaign.

9. How do the political activity restrictions apply to a City employee while on duty?

First, a City employee is prohibited from engaging in political activity while on duty. A City employee is on duty: (1) during normal working hours, which for those with fixed work schedules includes the time between the start and end of the workday excluding a lunch break; or (2) when performing City job duties or acting in an official capacity as a City employee. Second, a City employee is prohibited from engaging in political activity while using City-owned or leased resources, including computers and mobile phones, and a City employee must not use his or her authority, influence, title, or status as a City employee for any political purpose. Third, a City employee must carry out City job duties in a strictly non-partisan manner and maintain neutrality with respect to political parties, candidates, and partisan political groups. As such, a City employee must perform job duties without regard to personal political preferences.

10. May a City employee display signs or wear buttons that support a candidate or political party?

Yes, as long as a City employee is not on duty, in uniform or wearing City employee-identifying insignia, or in a City-owned or leased property, he or she may display such signs and buttons, including those obtained from a political party, candidate, or partisan political group. For instance, a City employee may display a campaign yard sign.

11. May a City employee attend political events organized by a candidate, political party, or partisan political group?

Yes, while off duty, a City employee may attend such political events solely as a spectator.

12. May a City employee campaign for or against referendum questions, constitutional amendments, federal or state laws, or municipal ordinances?

Yes, as long as a City employee does not engage in such activity in concert or coordination with a political party, candidate, or partisan political group.

13. May a City employee convey personal concerns about government policies to incumbent elected officials?

Yes, the political activity restrictions do not prohibit a City employee in a personal capacity from conveying concerns about government policies to incumbent elected officials as long as the employee is not acting in concert or coordination with a political party, candidate, or partisan political group. For example, [General Counsel Opinion 2017-503](#) addresses a City employee's participation in protests to convey constituent concerns to an incumbent elected official regarding various social, economic, and policy issues.

14. May a City employee make contributions intended for a political purpose?

Yes, most City employees may make contributions intended for a political purpose as long as they are off duty and not using City resources. For members of the Police Department, note that although Charter Section 10-107 states that they shall not make contributions intended for a political purpose, in 2014, a court held that members of the Police Department may contribute to political committees that are not affiliated with a candidate, including COPPAC.

15. What should a City employee do if he or she has questions about the political activity restrictions?

This document provides only general guidance, and application of the political activity restrictions is fact-specific. A City employee with questions should contact the Ethics Board by using the [Ask for Advice Function](#) on the [Board's website](#) or by calling 215.686.9450. [Board Regulation 8](#) also provides a detailed explanation of the political activity restrictions and helpful examples of permissible and prohibited behavior.