



## 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.