City of Philadelphia

Board of Ethics

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Political Activity FAQs

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(Online Version)
Frequently Asked Questions about Philadelphia’s Political Activity Law

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; (3) members of City boards and commissions that do not exercise significant government powers; and (4) members of City nominating panels. This document does not specifically address these four categories of individuals.

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

Activity directed toward the success or failure of a political party, candidate, political campaign, or partisan political group.

4. What is a “partisan political group”?

A partisan political group is any committee, club, or other organization whose primary purpose is to promote the success or failure of a political party, candidate, or political campaign. 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 political campaign, 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;

- be a candidate for public elective office or political party office, or serve as a ward leader or committee person; 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. **May a City employee engage in personal political activity and political expression?**

Yes. Political activity and political expression are permitted 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 their City title, position, uniform, or City resources; (2) does not participate in political fundraising; and (3) does not coordinate their activity with a political party, candidate, or campaign.

7. **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 political campaign.
8. How do the political activity restrictions apply to a City employee while on duty?

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.

A City employee is also prohibited from engaging in political activity **while in uniform** or **while using City-owned or leased resources**, including computers and mobile phones.

A City employee **must not use their authority, influence, title, or status as a City employee** for any political purpose.

A City employee must carry out their City job duties in a strictly non-partisan manner and maintain neutrality with respect to political parties, candidates, political campaigns and partisan political groups. As such, a City employee must perform their job duties without regard to personal political preferences.

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

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

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

Yes, while off duty, a City employee may attend political events as a spectator.
11. May a City employee campaign for or against referendum questions, constitutional amendments, federal or state laws, or municipal ordinances?

Generally, yes. City employees can engage in these types of activities, however, they should be mindful that such activities might be prohibited if they are conducted in coordination with a political party, candidate, or campaign.

12. 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 political campaign. 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.

13. 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. Appointed officers and employees of the Police Department are further restricted and cannot make contributions to a candidate or political committee affiliated with a candidate.

14. What are the rules regarding political activity and social media profiles?

City employees may include their political affiliation as well as their status as a City officer or employee in their social media profile.
As an important warning, because some social media platforms automatically include certain user information in content users create, City employees choosing to identify their City title or status in their profile may inadvertently violate restrictions prohibiting use of their title, status, or position as a City employee for political purposes. It is the responsibility of each City employee to know how each social media platform displays their profile information. If a City employee’s City title or status will automatically appear with that employee’s actions or content, the employee must choose between including their City title or status in the profile and using the social media account for political activity.

15. May a City employee create political content on social media?

Yes. Generally, City employees may express their personal political opinions on social media, including discussing their personal support for (or opposition to) a candidate, party, or campaign through posts or other social media content. They must, however, follow the basic rules that apply to all political activity. This means City employees can use social media to express their political opinions while they are off duty and not in a City-owned or leased property as long as they: (1) do not use a City title, position, uniform, or City resources; (2) do not participate in soliciting or collecting political contributions or any activities related to such; and (3) do not coordinate with a political party, candidate, or campaign. For more information on social media use, see Regulation 8.10.

16. May a City employee react or respond to political content on social media created by others?

Yes. City employees may interact with content from a candidate, party, or campaign. This includes following a social media account, as well as sharing, liking, or otherwise responding to social media content from a candidate, party, or campaign. City employees, however, cannot include or reference their City title or status when interacting with political content.
17. **What political activity on social media is prohibited for City employees?**

**Political activity using City accounts.** City employees may not engage in political activity using any City-owned or City-operated social media account, or any account that presents itself as being for official City business. This includes creating or interacting with content that supports (or opposes) a candidate, party, campaign or partisan political group.

**Political fundraising.** City employees may not use social media to create, promote, or share content related to political fundraising. This means City employees may not use social media to share a candidate’s fundraiser event or encourage others to contribute to a political party. This prohibition applies regardless of whether a City employee’s social media account identifies the employee’s City title or status.

**Political management and coordination.** While City employees may express their personal political opinions on social media, they may not use social media on behalf of or in coordination with a candidate, campaign, or political party. This means City employees may not create or promote content for a candidate, campaign, or party at their request.

18. **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 button on the Board’s website, by calling 215.686.9450 or by emailing BOEGCStaff@phila.gov. Board Regulation 8 also provides a detailed explanation of the political activity restrictions and helpful examples of permissible and prohibited behavior. The Board’s Ethics Manual summarizes these restrictions and other Ethics rules that City employees are subject to.
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