

BULLETIN

NO: 18-101

DATE: May 22, 2018

TO: All Personnel

FROM: Chris Webber, Assistant Fire Chief, Business Operations

SUBJECT: Political Activities in the Workplace

As a reminder, all City employees are prohibited from participating in political or campaign-related activities in the workplace, while on duty or on City time, or while in City uniform. All City employees are also prohibited from using City resources to engage in political or campaign-related activities. This directive is intended to be consistent with provisions of the San Diego Charter and the San Diego Municipal Code, and is narrowly tailored to preserve the integrity and efficiency of the City's public service. This directive is not intended to infringe upon employees' rights to freedom of expression or association, and is not intended to prohibit employees from being active in political campaigns.

For guidance on public employees' participation in the political process, employees may refer to a publication titled, "Political Activity, Public Funds, City Officials and Employees," This is also available on the City's Intranet homepage under a feature card titled, "What the Law Allows in the City of San Diego Regarding Public Employees' Involvement in the Political Process.



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: May 21, 2018

TO: All Unclassified Unrepresented and Classified Unrepresented Employees

FROM: Judy von Kalinowski, Human Resources Director

SUBJECT: **POLITICAL ACTIVITIES IN THE WORKPLACE POLICY**

As a reminder, all City employees are prohibited from participating in political or campaign-related activities in the workplace, while on duty or on City time, or while in City uniform. All City employees are also prohibited from using City resources to engage in political or campaign-related activities. This directive is intended to be consistent with provisions of the San Diego Charter and the San Diego Municipal Code, and is narrowly tailored to preserve the integrity and efficiency of the City's public service. This directive is not intended to infringe upon employees' rights to freedom of expression or association, and is not intended to prohibit employees from being active in political campaigns.

San Diego Charter section 31(a) provides, in part:

No officer or employee of the City, except elected officers and unsalaried members of commissions, shall during regular hours of employment take an active part opposing or supporting any candidates in any City of San Diego political campaign or make contributions thereto in behalf of any candidates, nor shall such person seek signatures to any petition seeking to advance the candidacy of any person for any municipal office. Nothing in this section shall be construed to prevent any officer or employee, whether Classified or Unclassified, from seeking election or appointment to public office or from being active in State or Federal political campaigns, in any bond issue campaign including municipal bond issues, or from being active in local political campaigns.

San Diego Charter section 135 provides that employees in the administrative service of the City cannot use their positions "to influence or coerce the political action of any person or body, or to interfere with any nomination or election to public office."

San Diego Municipal Code section 27.3564(b) makes it "unlawful for any *City Official* [as defined by San Diego Municipal Code section 27.3503] to engage in campaign-related activities, such as fund-raising, the development of electronic or written materials, or research, for a campaign for any elective office using *City* facilities, equipment, supplies, or other *City* resources." San Diego Municipal Code section 27.3571 prohibits the solicitation of political campaign contributions in certain circumstances.

For guidance on public employees' participation in the political process, employees may refer to a publication titled, "[Political Activity, Public Funds, City Officials and Employees,](#)" This is also available on the City's Intranet homepage under a feature card titled, "What the Law Allows in the City of San Diego Regarding Public Employees' Involvement in the Political Process."

If an unclassified unrepresented or classified unrepresented employee wants to participate in political activities scheduled during the employee's work hours, the employee MUST submit a leave slip and use annual leave, which may be used in increments of less than eight hours. This directive is an exception to the rule set forth in Personnel Regulation H-4(J), which provides that certain salaried exempt employees under the Fair Labor Standards Act will be paid for all absences of less than a day and no deduction from leave credits will be made to recover the cost of the absence. It is mandated by the prohibition on using City time or resources to engage in political or campaign-related activities.

Violations of this directive may result in discipline, up to and including termination.

Should you have questions regarding this memo, please contact me directly at 619-233-6313.

Signature on File

Judy von Kalinowski
Human Resources Director

cc: Honorable City Councilmembers
Aimee Faucett, Chief of Staff, Mayor's Office
Kris Michell, Chief Operating Officer
Stacey LoMedico, Assistant Chief Operating Officer
Mara Elliott, City Attorney
Hadi Dehghani, Personnel Director
Stacey Fulhorst, Executive Director, Ethics Commission
Scott Clark, Interim City Comptroller
Elizabeth Maland, City Clerk