



Political Activity Policy

Purpose

This policy sets forth general guidelines for the Ohio Department of Agriculture (ODA) employees to follow with respect to participation in political activities.

Authority

- a. O.R.C. § 124.57; § 124.60; § 3501.22
- b. Ohio Admin. Code 123:1-46-02

Reference

- a. OCSEA, Local 11 AFSCME, AFL-CIO Collective Bargaining Agreement

Scope

This Policy applies to all ODA employees. Whether and to what extent an ODA employee may participate in political activity varies widely and depends upon the employee's civil service status. Unclassified employees are subject to fewer restrictions with respect to political participation than classified employees. The examples of permitted and prohibited political activities listed below are not intended to be all inclusive. When in doubt, employees should contact the ODA's legal counsel to determine if specific activities are permitted or prohibited.

Definitions

"Political activity" and "politics" refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, and partisan candidates.

Guidelines

Unclassified Employees

1. Prohibitions:
 - a. Participating in political activity on state time, on state property, or while using state equipment or resources;
 - b. Soliciting political contributions from any state employee;
 - c. Using state resources to advocate a particular position, or present that or any other position as the "official" or "State" position concerning a ballot issue;
 - d. Soliciting classified state employees for the financial benefit of a political party or a candidate for public office;
 - e. Giving campaign contributions to the Governor's campaign committee.



2. Permissible Activities:

- a. Hold an elected or appointed position where the position is compatible with the unclassified employee's position with ODA. Positions are considered incompatible when any of the following situations exist:
 - i. One position is subordinate to or in any way a check upon the other
 - ii. Time or energies are taken from the duties of the ODA position; or
 - iii. Some specific constitutional or statutory bar exists precluding a person from serving in both positions;
- b. Attend or participate in a political activity on non-State time or during normal business hours, but only if the unclassified employee uses some type of approved leave;
- c. Run for an elected office (including full or part-time elected office and political party leadership positions) with prior notice to the ODA Director. Unclassified employees may be required to take a leave of absence while running as a candidate for the elected office if, in the discretion of the ODA Director and ODA legal counsel, the employee's candidacy may adversely affect his or her public employment and job responsibilities. The ODA Director and ODA legal counsel may also recommend a specific time period for the leave of absence;
- d. Disseminate, either verbally or in writing, objective information concerning a ballot issue that may affect the State and its departments, including the impact of the issue, if called upon to do so as part of the employee's job duties;
- e. Correct or clarify factual errors or misinformation concerning a ballot issue that may affect the State and its departments, if called to do so as part of an employee's job duties; and
- f. Any and all of the activities listed in the below section pertaining to permissible activities for classified employees.

Classified Employees

1. Prohibitions:

- a. Declaring for candidacy or becoming a candidate for public office in a partisan election;
- b. Declaring for candidacy or being a candidate for public office in a nonpartisan primary or through the circulation of nominating petitions identified with a political party;
- c. Filing petitions that meet the statutory requirements for partisan candidacy to elective office;
- d. Circulating official nominating petitions for any candidate participating in a partisan election;
- e. Serving in an elected or appointed office in any partisan political organization;
- f. Accepting a party-sponsored appointment to any office normally filled by partisan election;



- g. Campaigning by writing for publications, by distributing political materials, or by writing and making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
- h. Soliciting, either directly or indirectly, any assessment, contribution or subscription, either monetary or in-kind, for any political candidate or political party;
- i. Soliciting the sale of or actual selling political party tickets;
- j. Engaging in partisan activities at the election polls such as soliciting votes for other nonpartisan candidates and nonpartisan issues;
- k. Serving as a witness or challenger for any party or partisan committee;
- l. Participating in political caucuses of a partisan nature;
- m. Participating in a political action committee, which supports partisan activity, subject to the provisions of any applicable collective bargaining agreement;
- n. Participating in political activity on state time, on state property, or while using state equipment or resources;
- o. Soliciting political contributions from any state employees;
- p. Using state resources to advocate a particular position, or present that or any other position as the “official” or “State” position concerning a ballot issue; and
- q. Giving campaign contributions to the Governor’s campaign committee.

Permissible Activities:

- a. Register and vote;
- b. Express opinions, either oral or in writing;
- c. Make voluntary financial contributions to political candidates or organizations;
- d. Circulate nonpartisan petitions or petitions stating views on legislation on the employee’s own time;
- e. Attend political rallies on the employee’s own time;
- f. Sign nominating petitions in support of individuals;
- g. Display political materials at home or on the employee’s property;
- h. Wear political badges or buttons, or display political stickers on private vehicles;
- i. Serve as a precinct election official (poll worker) pursuant to O.R.C. § 3501.22, subject to supervisory approval;



- j. Disseminate, either verbally or in writing, objective information concerning a ballot issue that may affect the State and its departments, including the impact of the issue, if called upon to do so as part of the employee's job duties;
- k. Correct or clarify factual errors or misinformation concerning a ballot issue that may affect the State and its departments, if called upon to do so as part of an employee's job duties.

Penalties

An employee who engages in the prohibited activities listed above or other activities in violation of O.R.C. § 124.57 is subject to investigation and disciplinary action, up to and including removal from his or her position.

Contact

ODA legal counsel is available for consultation about employee participation in political activity. Questions regarding an employee's civil service status can be addressed to the Human Resources Director.

This Policy supersedes any previously issued directive or policy and will remain effective until cancelled or superseded.

Revision History

Date	Description of Change
8/2012	Initial Policy Issued
7/2014	Policy Reviewed
7/2015	Policy Reviewed

