

**FREQUENTLY ASKED QUESTIONS AND CORRESPONDING ANSWERS
REGARDING THE POLITICAL ACTIVITIES OF WAYNE COUNTY EMPLOYEES**

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The following answer some of the anticipated frequently asked questions regarding the political activities of County employees. Unless specified otherwise, employees may engage in the permitted activities stated below only during off-duty periods. **More stringent standards apply to County employees that are subject to the federal Hatch Act¹.** As a note, references herein to County employees apply equally to appointees.

FREQUENTLY ASKED QUESTIONS (FAQs)	RESPONSE
May I become a member of and participate in a political party?	Yes. MCLA § 15.403 and W.C. Code of Ordinances § 53-2(1).
May I serve as a delegate to a political convention?	Yes. MCLA § 15.403 and W.C. Code of Ordinances § 53-2(2).
May I contribute to a political campaign?	Yes. County employees may contribute to the campaign of a candidate or issue, or to a party or organization supporting a candidate or issue. MCLA § 15.403 and W.C. Code of Ordinances § 53-2(4).
May I receive reimbursement for political contributions?	No. Whether on or off-duty County employees may not receive reimbursement for political contributions. W.C. Ethics Ordinance § 4.6(a).
May I use my official title to solicit or receive political contributions?	No. Whether on or off-duty County employees may not use their official title to solicit or receive political contributions. 5 U.S.C. § 1502(a)(1) (2012).
May I attend political fundraising functions?	<p>Yes. However, attendance must occur during off-duty time, and Wayne County employees must take precautions to avoid the appearance of using their official title to solicit funds. County employees may not use their official title to elicit support on behalf of a candidate or political party. While it may sometimes be difficult for the observing public to distinguish between certain County employees' "official" and "private" roles when County employees participate in political activities, it is nonetheless permissible for County employees to participate in otherwise permitted political activities.</p> <p>For example, it is permissible for a County employee to speak on behalf of an electoral candidate during off-duty time, but it would be impermissible for the County employee</p>

¹ The federal Hatch Act also restricts the political activities of state and local employees who are principally employed in connection with federally funded programs. 5 U.S.C. §§ 1501-1508, 7321-7326.

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	<p>to state or suggest that the County government, or the employee on the County's behalf, endorses the candidate.</p> <p>As a further example, it would be impermissible for a County employee to issue solicitations for political contribution on County letterhead. In addition, County employees who are subject to the Hatch Act may not personally solicit funds for political causes. W.C. Ethics Ordinance § 4.7 and USC § 1502(a)(1)(2).</p>
<p>May I campaign for candidates for public office and/or collect signatures for a petition?</p>	<p>Yes. However, as indicated above, County employees may not use their official title to elicit support on behalf of a candidate or political party. 5 USC § 1502(a)(1)(2).</p>
<p>May I campaign for the success or defeat of ballot initiatives?</p>	<p>Yes, as long as you do not coerce or command the success or defeat, the ballot initiative will not be submitted to a vote of electors, and you do not use your official title to elicit support for or against ballot initiatives. 5 USC § 1502(a)(1)(2) and W.C. Code of Ordinances § 53-5(a).</p>
<p>May I campaign for candidates for public office and/or collect signatures for a petition while on my lunch break?</p>	<p>Yes, as long as you work a full day or otherwise account for a full day of work and are not on county property while campaigning or collecting. W.C. Ethics Ordinance § 4.7(a)(b).</p>
<p>May I use my County-issued phone to make campaign-related calls?</p>	<p>No. This is an example of prohibited usage of County property for political purposes. W.C. Ethics Ordinance § 4.6(a); W.C. Code of Ordinances § 53-5(b); W.C. Property and Equipment Usage Policy</p>
<p>What is "political activity?"</p>	<p>The term "political activity" means doing something in active support or opposition to a political party, a candidate for partisan political office or a partisan political group.</p>
<p>What is a political e-mail?</p>	<p>A political e-mail is an e-mail that meets the definition of political activity. An e-mail that is directed toward the success or failure of a political party, candidate for partisan political office or partisan political group would constitute a political e-mail.</p>
<p>What if I receive an unsolicited political e-mail on my County computer while at work?</p>	<p>If a County employee receives an unsolicited political email they are not permitted to send or forward the email to other employees. W.C. Email Policy.</p>

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What are the penalties for violating the W.C. Ethics Ordinance?	Under the W.C. Ethics Ordinance a violation is a civil infraction punishable by a fine of \$500 and costs. In addition, you may be subject to disciplinary action including discharge. W.C. Ethics Ordinance § 10.
May elected officials utilize County facilities and staff to maintain constituent mailing lists?	Yes, but only for legitimate non-political purposes, such as to inform constituents regarding County services or activities. W.C. Code of Ordinances § 53-5(c).
May I wear a campaign button to work?	Yes. This is an example of individual political expression that the County seeks to protect. U.S. Const. Amend. I and W.C. Code of Ordinances § 53-4.
May I display a campaign sticker on my personal vehicle that I park on County property?	Yes. This is example of individual political expression that the County seeks to protect. U.S. Const. Amend. I and W.C. Code of Ordinances § 53-4.
May I display a political bumper sticker on a County owned or leased vehicle?	No. W.C. Ethics Ordinance § 4.6(b), 4.7(a) and W.C. Code of Ordinances § 53-5.
May I serve at the polls as an election official, clerk, checker, watcher, or challenger for a political party or candidate?	Yes, but such an activity must be undertaken on the employee's off-duty time, and care must be taken to avoid the appearance of official endorsement of a candidate, issue, or party. County employees may not use their official title to elicit support on behalf of a candidate, issue or political party. 5 USC § 1502(a)(1)(2).
May I use my County owned and issued vehicle for political matters while on County time?	No. The operation of a county vehicle for political matters is entirely prohibited. Unauthorized use of a county vehicle shall constitute grounds for the revocation of an individual's operation of a county vehicle and other appropriate disciplinary action. W.C. Code of Ordinances § 33-9(b).
May I use my County owned and issued vehicle for political matters while off County time?	No. The operation of a county vehicle for political matters is entirely prohibited. Unauthorized use of a county vehicle shall constitute grounds for the revocation of an individual's operation of a county vehicle and other appropriate disciplinary action. W.C. Code of Ordinances § 33-9(b).
May I use my County owned vehicle, which I'm authorized to take home, for political matters, when off County time?	No, The operation of a county vehicle for political matters is entirely prohibited. Unauthorized use of a county vehicle shall constitute grounds for the revocation of an individual's operation of a county vehicle and other appropriate disciplinary action. W.C. Code of Ordinances § 33-9(b).

FREQUENTLY ASKED QUESTIONS (FAQs)	RESPONSE
May I run for public office?	Yes, employees may become a candidate for nomination and election to any federal, state, or local office. However, the County may require employees running for County elective office to request and take an unpaid leave of absence upon complying with the candidacy filing requirements, or 60 days before any election relating to the position sought, whichever date is closer to the election. This does not apply to incumbent elected officials. In addition, County employees who are subject to the federal Hatch Act may not run for public office in a partisan election. MCLA § 15.403(c) and W.C. Personnel Manual.
May I speak to an electoral candidate who visits a Wayne County Building or another County work site?	Yes, you are permitted to speak with a candidate on County property provided you are not discussing partisan political matters related to their candidacy. W.C. Ethics Ordinance § 4.7(a).
May I use a County building to host a political event?	No, campaign events may not be held in County buildings or property. W.C. Ethics Ordinance § 4.6(a).
May I use the County e-mail system to send an e-mail to a mass audience regarding a political event or issue?	No. The County e-mail policy prohibits county employees from using the system to solicit or proselytize others for political causes. This is particularly true when the sender has no prior relationship to the recipients of the e-mail. W.C. Ethics Ordinance § 4.6(a) and W.C. Email Policy.

Ethics Questions and Examples

In the following situations John, Bob, and Phil are County employees

<p>John receives an email from Phil inviting him to attend Phil's campaign rally the following evening. Does Phil's email breach the W.C. Ethics Ordinance?</p>	<p>Yes. Phil is improperly using County time and equipment for the promotion of his partisan political campaign. This violates the W.C. Ethics Ordinance, § 4.7(a).</p>
<p>John sends Bob an email inviting him to a political rally promoting a campaign of which neither is involved. Does John's email breach the W.C. Ethics Ordinance?</p>	<p>Yes. John's email concerns a partisan political activity and is being sent through the County email system. This violates the W.C. Ethics Ordinance § 4.7(a) and W.C. Property and Equipment Usage Policy.</p>
<p>Phil sends an email to the entire office containing a 10 page news clipping concerning a political opinion he holds. Does this email violate the W.C. Email Policy?</p>	<p>Yes. By sending the email to the whole office, Phil violated the W.C. Email Policy prohibiting "mass mailings" as well as political activity. This also violates the W.C. Property and Equipment Usage Policy.</p>
<p>John sends Bob an email containing a news clipping defending gun control, a major point in John's political campaign. Is John's email a violation of the W.C. Ethics Ordinance?</p>	<p>Yes. By emailing Bob an attachment directly relating to his partisan political activity, John is using the County email system for personal gain, which violates the W.C. Email Policy, §IV, "Unacceptable Use;" W.C. Ethics Ordinance, § 4.7(a); and W.C. Property and Equipment Usage Policy.</p>
<p>Phil calls a possible donator to his campaign using his County cell phone at home, after leaving the office for the day. Is this a breach of W.C. Ethics Ordinance?</p>	<p>Yes. The use of County equipment for partisan political purposes is prohibited by the W.C. Code of Ordinances, §53-5(b); Wayne County Ethics Ordinance § 4.7(a); and W.C. Property and Equipment Usage Policy.</p>



EXECUTIVE ETHICS POLICY

POLITICAL ACTIVITY

It is the policy of the Executive Branch of Wayne County Government that participation in any political campaign, campaign activity or event is voluntary and not a condition of employment.

No At-Will Employee shall direct or coerce any other Wayne County employee to participate in any political campaign, campaign activity or event.

No At-Will Employee shall state or imply to any other County employee that participation in any political campaign, campaign activity or event is necessary for employment or any benefit of employment with Wayne County.



ETHICS ORDINANCE

4.7 Inappropriate use of County Time and Property for Political Activity

(a) A public servant is prohibited from engaging in political campaign activities during hours for which the public servant receives compensation from the County; while using county equipment or resources; or while on property where business of the County is conducted.

(b) A public servant, personally or through an agent, is prohibited from soliciting other public servants to work on political campaign activities during hours for which the public servant receives compensation from the county; while using county equipment or resources; or while on property where business of the County is conducted.

(c) A public servant, personally or through an agent, is prohibited from stating or implying to any other public servant that participation in any political activity, including fund-raising events, is necessary for employment or for any benefit or employment within the county.

(d) A public servant, personally or through an agent, is prohibited from directing or coercing any other public servant from participating in any political activity.