

COMMITTEE ON UNIVERSITY GOVERNANCE

Committee on University Governance

January 9, 2014

Agenda Item: **Other Business: Discussion on Policies Related to Political Activity**

Situation: The Governance Committee believes that a review of UNC policies on Political Activity is timely, as there is an election year coming up. This is the second in a series of discussions.

Background: This is the second in a series of discussions on UNC policies on Political Activity.

Assessment: Political activity is covered not only by UNC policies, but by State policy, and State and Federal law. Therefore, the discussion needs to be broadened beyond UNC policy.

Action: This item is for discussion

Governance Committee Policy Discussion: Political Activities and Candidacy for Office Discussion

1. Review of Policies and State Law

- a. Constitutional framework
- b. UNC Policy Manual §§ 300.5.1 – 300.5.5
[UNC Policies on Political Activity](#)
- c. N.C. Gen. Stat. § 126-13. Appropriate political activity of State employees.

2. Key Terms and Thresholds

- a. Employee definitions
- b. Public office
- c. Political activity
- d. Partisan and nonpartisan political activity
- e. Compensation which is more than nominal
- f. Full time and part time offices
- g. State, county and local offices

3. Overview of Hatch Act

Handbook: http://www.osc.gov/documents/hatchact/ha_fed.pdf

CFR: <http://www.osc.gov/documents/hatchact/federal/5cfr734.pdf>

4. Related Issues

- a. Conflict of Interest Policies
- b. IT Policies
- c. EPA v. SPA

5. Next steps



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
BEVERLY EAVES PERDUE
GOVERNOR

ANN G. COBB, DEPUTY DIRECTOR
INTERIM STATE PERSONNEL DIRECTOR

October 24, 2012

Memorandum

To: Agency/University HR Directors

From: Ann G. Cobb 

Re: Voting and Other Political Activity During the 2012 Election

Our office has experienced an increase in questions and concerns from employees and agencies about policies related to voting and political activity; therefore, we thought it would be a good time to remind everyone of the provisions of the political activity and leave policies to ensure consistent application of the policies for all State employees.

Employees should be encouraged to vote in every election; however, voting should be done on the employees' own time. The 2012 Election Day is scheduled for Tuesday, November 6 and large crowds are predicted, so employees should plan their schedules accordingly. Polling facilities now have extended hours to accommodate the crowds and work schedules. Supervisors should be flexible with employees' schedules and follow your agency/university's normal leave procedure process. Employees should be strongly encouraged to take advantage of the early voting, which is open from October 18 through November 3.

Please remind your employees that they shall not:

- engage in campaigning or other political activity during working time;
- use the employee's position's authority to support or oppose a candidate, party or issue or an issue in an election;
- use state funds, equipment, supplies or vehicles to support or oppose a candidate, party or issue of an election;
- promise rewards to a state employee or applicant for state employment to gain support for or a contribution to a candidate or party¹;
- threaten the employment of another state employee or applicant for failure to support or contribute to a political candidate or committee²;

¹ Such an action is subject to criminal penalties under the law.

² Such an action is subject to criminal penalties under the law.

We have also received several inquiries concerning the use of Community Service Leave (CSL) to work at the polls as well other political activities related to the elections. Employees can use CSL if they are volunteering to work inside the polls to facilitate the voting process for the State or County Board Election and they do not receive payment for their service. Since the law does not allow partisan campaigning inside the polling facilities, working inside the polls is not seen as political activity and is considered volunteer work for a State agency (Board of Elections) to help facilitate the election. Employees cannot use CSL for handing out campaign brochures, transporting voters, registering voters or any other partisan political activity related to the election.

Please share this information with your employees and supervisors.

If you or your staff has additional questions concerning political activity related to the election, please contact Shari Howard at 919-807-4881. Thank you for your cooperation.

AGC/asm