

## **Guidelines and Policies for University of Kentucky Employees Engaging in Political Activities or Holding Public Office**

The University of Kentucky respects the right and responsibility of employees as individual citizens to engage in local, state, and national politics. Believing that it is each citizen's responsibility to be informed about the issues that affect your life within society, the University encourages you to register, vote and participate in the democratic process.

However, because the University is a public entity, its faculty, staff, and administrators may only engage in political activities or hold public office if they are able to do so within the applicable law and University regulations, and while meeting the obligations of their employment at the University. These guidelines and policies should help you determine what is permitted should and you choose to engage in political activities or if you decide to run for a political office.

Should you consider running for political office, the University encourages employees to discuss potential conflicts or work arrangements with their supervisor at the earliest opportunity and for staff to notify the Human Resources Office of Employee Relations and for faculty to notify the Provost's Office for Faculty Advancement.

### **Permitted Activities**

1. Registration and Voting: All employees are encouraged to register and vote in any election.
2. Expression of opinions: All employees have a right to privately express their opinions on all political subjects and candidates.
3. Contributions: It is lawful for employees to make voluntary cash contributions to political parties, candidates, or organizations.
4. Political pictures and signs: It is lawful for employees to display political pictures or signs on their property.
5. Badges, buttons, and stickers: It is lawful for employees to wear political badges or buttons and voluntarily display political stickers on their private automobiles; however, no political badges, buttons, or other designations may be worn while the employee is representing the University.
6. Precinct election officers: Employees may serve as precinct election officers at the polls.
7. Constitutional amendments, referenda, etc.: Employees may work actively for or against constitutional amendments, referenda or municipal ordinances in which they are interested, provided that University time and resources are not used for this purpose.
8. Transporting voters: Employees may transport friends or relatives to the polls as a civic gesture but must do on their own time.

## Prohibited Political Activities

1. University employees shall not engage in political activities while working on University time or while representing the University at other events.
2. University employees shall not, in their official capacities, including instructional responsibilities, engage in political activities.
3. University employees shall not depict their personal views as representing the University when engaged in political activities.
4. University employees shall not attempt to coerce other employees or students to participate in or support their political activities.
5. University employees shall not use University resources (property, phones, email, copiers, computers, etc.) to conduct political activities.
6. Political contributions: An employee is prohibited from soliciting or handling partisan political contributions while conducting University business.
7. Campaign literature distribution: Employees are prohibited from distributing partisan campaign literature or material on University property or while conducting University business.
8. Political pictures and signs: Employees are prohibited from displaying political pictures or signs in their work area.
9. Nominating petitions: Employees are prohibited from initiating or circulating partisan political nominating petitions while conducting University business.
10. Solicitation of political support: An employee is prohibited from canvassing a district or soliciting political support from a party, faction, or candidate, either in person or writing while conducting University business.

## Issue Advocacy

Employees are not prohibited from engaging in issue advocacy; however, employees are not permitted to engage in issue advocacy on University time, using University resources, or in a manner that conflicts with your employment responsibilities.

If you have any questions, please contact one of the resources below:

### Staff Questions

Sherri Goins, Employee Relations

(859) 257-9187

[sherri.goins@uky.edu](mailto:sherri.goins@uky.edu)

### Faculty Questions

G. T. Lineberry, Faculty Advancement

(859) 323--6589

[gt.lineberry@uky.edu](mailto:gt.lineberry@uky.edu)

### University Policy Questions

T Lynn Williamson, Legal Office

(859) 257-2936

[t.lynn.williamson@uky.edu](mailto:t.lynn.williamson@uky.edu)

# Policy # 76.0: Political Activities and Public Office

Revision date: April 24, 2014

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## Purpose

This policy defines the conditions for and procedures by which University employees may engage in political activities or hold public office.

## Policy

The University of Kentucky respects the right and responsibility of employees as individual citizens to engage in local, state, and national politics. However, because the university is a public entity, its faculty, staff, and administrators may only engage in political activities or hold public office if they are able to do so within the applicable law and University regulations, and while meeting the obligations of their position at the University. This policy is not intended to prohibit university employees from freedom of political association but such associations shall not be exercised in the employee's official, university capacity.

## Definitions

1. "Political Activities" or "campaigning" means promoting or opposing any partisan political activity, political party, or candidate for public office (local, state, or national), including oneself. For purposes of this policy, political activities specifically does not include promoting or opposing political activities or candidate for elected office within the University such as election of Student Government representatives or officers or election of faculty or staff members of the Board of Trustees or representative on the University Senate or the Staff Senate and similar internal elections.
2. "University Property" means any property owned, leased, or controlled by the University.
3. "University Resources" means supplies, materials, equipment, telephones, printing or copying services, the university mail or (e)mail service, human resources, real property and other tangible and intangible assets.

## Political Activities and Campaigning - General Rules

1. University employees shall not engage in political activities on University property during regular University working hours or at official university functions.
2. University employees shall not, in their official capacities, including instructional responsibilities, engage in political activities.
3. University employees shall not depict their personal views as representing the University when engaged in political activities.
4. University employees shall not attempt to coerce other employees or students to participate in or support their political activities.

5. University employees shall not use University resources to conduct political activities, except that the physical facilities of the University may be used by employees of the university who are candidates for public office in the same manner as the facilities may be used by non-employee candidates. University employees shall adhere to the same policies that affect non-employees in terms of the use of all campus facilities for partisan political activities. Such rentals may be arranged through a registered campus organization and the appropriate facility administrator in accordance with university policy. (See: *Governing Regulation, Part I.G.1, Use of University Resources and Property; Administrative Regulation 9:1, Regulations Governing Time, Place, and Manner of Meetings, Demonstrations, and other Assemblies; Administrative Regulation 9:2, Regulations Governing the Use of University Facilities by Registered Student Organizations*)

### **Employees as Candidates or Office Holders**

1. At the earliest opportunity, employees who are considering campaigning for, accepting appointment to, or holding public office shall discuss potential conflicts or work arrangements with their supervisor and notify the Human Resources Office of Employee Relations. The following options are available:
  - a. Employees who are able to demonstrate that campaigning for or holding the public office will not interfere with their job responsibilities or work schedule may do so without requesting vacation leave, an unpaid special leave of absence, or other modified work arrangements.
  - b. Employees who are unable to demonstrate that campaigning for or holding the public office will not interfere with their normal work schedule and job responsibilities may request: 1) vacation leave; 2) an unpaid special leave of absence in accordance with *Human Resources Policy & Procedure #85.0, Special Leaves* (staff), or *Governing Regulation X.B.3.b, Faculty Members as Scholars and Citizens* (faculty); or, 3) a flexible work arrangement, reduced FTE, or other reasonable and appropriate arrangement. The primary consideration for approval shall be the best interests of the University.
  - c. However, employees elected or appointed to local, state, or federal office positions requiring **full-time effort** shall either request an unpaid special leave of absence in accordance with *Human Resources Policy & Procedure #85.0, Special Leaves* (staff), or *Governing Regulation X.B.3.b, Faculty Members as Scholars and Citizens* (faculty) or resign before they assume their new position. If a special leave is denied, the employee shall resign.  
NOTE: Separate discussions and, if appropriate, approvals are required for campaigning and, in the case of a successful campaign or appointment, holding the office as the time commitment and responsibilities will differ.
2. Employees who are campaigning for, or who hold public office, shall adhere to Section IV of this Administrative Regulation regarding general rules for political activities and campaigning.

## Process

A request for unpaid special leave to engage in political activities or hold a public office shall be submitted in a timely manner and in accordance with [Human Resources Policy & Procedure #85.0, Special Leaves](#) (staff), or [Governing Regulation X.B.3.b](#) (faculty). The primary consideration for authorizing a special unpaid leave is that it serves the best interest of the University.

## Related Policies

GR I, Section G, Use of University Property and Resources

GR X.B.3.b., Faculty Members as Scholars and Citizens

## Governing Regulation, Part I

Use of University Property and Resources Kentucky Revised Statutes 164.160 and 164.200, respectively, grant to the Board of Trustees the power to receive, hold, and administer on behalf of the University, all types of property and to establish proper regulations for the government of same.

By virtue of the above, University property and resources, including but not limited to real property, equipment, human resources, and other tangible and intangible assets, shall be used only for educational, cultural or charitable purposes, or other purposes as determined by the President or by the administrative officer to whom the President has delegated this responsibility in accordance with these Governing Regulations, Administrative Regulations, and University Senate Rules.

Political Activity - The University cannot endorse, support or promote any political candidate or any partisan political activity. Therefore, University resources shall not be used for conventions, rallies, or any campaign activities that would further the interests of a political party<sup>1</sup> or of a candidate or candidates for public

"Political party" is defined as a voluntary association of persons formed and organized for the purpose of nominating or electing candidates for public office. This definition includes, but is not limited to, the meaning of "political party" as defined in KRS 118.015(1). Governing Regulation, Part I Page 6 of 7 office. The resources of the University may be used for public forums to which all legally qualified candidates for a public office are invited to speak provided that all such candidates are given equal access and opportunity to speak.

University resources may be used by registered student organizations for meetings with a candidate or candidates for public office when meetings are open in attendance to students, faculty members, and staff employees of the University.

## **Guidance for Kentucky Cooperative Extension Service**

*All Cooperative Extension Service employees shall avoid conduct that might in any way lead members of the general public to conclude that he or she is using an official position to further professional or private interests or the interests of any members of his or her family. If holding public office would create an actual conflict of interest that cannot be mitigated through abstention from votes or discussions concerning matters impacting the Kentucky Cooperative Extension Service, employees of the Kentucky Cooperative Extension Service may not hold such positions.*