

(PROPOSED)
PARTISAN POLITICAL ACTIVITIES POLICY
FOR THE OFFICE OF
CITIZENS' AIDE/OMBUDSMAN

I. PERMISSIBLE ACTIVITIES

Each employee retains the right to:

1. Register and vote in any elections.
2. Participate in the nonpartisan activities of a civic, community, social, labor, or professional organization, or of a similar organization.
3. Be politically active in issues not specifically identified with a political party, such as a constitutional amendment, referendum, approval of a municipal ordinance or any other question or issue of a similar character.
4. Discuss publicly legislative issues and matters of public interest so long as discussions are not directed toward party success or failure and so long as the discussion does not promote or downgrade a party or member of a party or lead other persons to believe that the employee favors one party or another.
5. Participate in nonpartisan elections.
6. Otherwise participate fully in public affairs, except as prohibited by law, in a manner which does not materially compromise his/her efficiency or integrity as an employee or the neutrality, efficiency, or integrity of his agency.

II. PROHIBITED ACTIVITIES

Activities prohibited include but are not limited to:

1. Organizing or reorganizing a political party organization or political club, or holding an elective or appointive office in a political party organization or political club.
2. Becoming a partisan candidate for or campaigning for an elective public office.
3. Actively managing or working in the campaign of a partisan candidate for public office.
4. Directly or indirectly soliciting, receiving, collecting, handling, disbursing, or accounting for assessments, contributions, or other funds for a partisan political purpose.
5. Organizing, selling tickets to, promoting, or otherwise actively participating in a fund-raising activity of a candidate in a partisan election or of a political party, or political club/organization.
6. Soliciting votes in support of or in opposition to a candidate for public office in a partisan election or a candidate for political party office.
7. Acting as recorder, watcher, challenger, or similar officer at the polls on behalf of a political party or a candidate in a partisan election.
8. Driving voters to the polls on behalf of a political party or a candidate in a partisan election.
9. Endorsing or opposing a candidate for public office in a partisan election or a candidate for political party office in a political advertisement, a broadcast, campaign literature or similar material.
10. Addressing a convention, caucus, rally, or similar gathering of a political party in support of or in opposition to a partisan candidate for public office or political party office.
11. Initiating or circulating a partisan nominating petition.

II. Prohibited Activities cont'd...

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12. Serving as a delegate, alternate or proxy to a political party caucus or convention.
13. Using or permitting to be used any motor vehicle owned by the State of Iowa or any political subdivision thereof for the purpose of transporting any political literature or person or persons engaging in a political campaign for any political party or any person seeking an elective office.
14. Contributing money for partisan political purposes, unless the contribution will remain confidential as is provided in the state income tax law or remains non-reportable pursuant to the Iowa Campaign Finance Disclosure Law.
15. Wearing badges or other representation of political preference during scheduled working hours, while on duty, when using state equipment or on state property.
16. Neglecting his or her assigned duties or responsibilities during scheduled working hours, while on duty, when using state equipment or on state property due to a political activity.
17. Directly or indirectly coercing, attempting to coerce, commanding, or advising another employee to pay, lend, or contribute anything of value to a political party, committee, organization, agency, or person for political purpose.
18. Using his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for partisan office.

III. POLICY APPLICABILITY

The policies established shall not apply to the spouse or children of an employee of the Citizens' Aide/Ombudsman office.

IV. ADMINISTRATIVE GUIDANCE

An employee of the Citizens' Aide/Ombudsman office should exercise judgement in participating in any activities that might be construed by others as partisan in nature and which might compromise the belief that an employee will work on a nonpartisan relationship. If an employee is in doubt about attendance at a particular function or a possible political practice, that employee should consult with the Director of the Citizens' Aide/Ombudsman office and seek direction as to attending the function so that employees' right of free speech and association will be maintained and the efficiency and fairness of the office will not be compromised as a result of a lack of confidence by the persons for whom the employees must work.

V. SANCTIONS

The range of sanctions which may be applied for violation of this policy include verbal warning, written reprimand, suspension, or dismissal from employment. The application of a sanction shall be made by the Citizens' Aide/Ombudsman; however, each employee shall retain the right to file a grievance with the Service Committee of the Legislative Council pursuant to the Grievance Policy Procedure should he/she disagree with the sanction imposed.

The application of the sanction of suspension or dismissal for violation of this policy shall be reviewed and may be modified, by the Service Committee.

PROPOSED POLICY ESTABLISHED BY THE LEGISLATIVE COUNCIL
RELATING TO THE PARTICIPATION IN PARTISAN POLITICS BY
MEMBERS OF THE LEGISLATIVE SERVICE BUREAU
AND LEGISLATIVE FISCAL BUREAU

Submitted to the Service Committee of the Legislative Council
July 15, 1982

In order to maintain fair and effective functioning of the Legislative Service Bureau and the Legislative Fiscal Bureau it is necessary that employees of the Service and Fiscal Bureaus not participate in partisan politics. It is not only necessary that employees of the Legislative Service Bureau and Legislative Fiscal Bureau actually avoid participation in partisan politics, but it is also necessary that such employees appear independent of partisan political involvement to members of the General Assembly, if confidence in the functioning of the Service and Fiscal Bureaus is to be maintained.

A. PARTICIPATION IN PARTISAN POLITICS DEFINED. Participation in partisan politics means and includes the following:

1. Organizing a political party or club.
2. Actively participating in or attending fund raising activities for a partisan candidate or partisan political party.
3. Becoming a partisan candidate for or campaigning for an elective public office.
4. Actively working in or managing the campaign of a partisan candidate for public office.
5. Initiating or circulating a partisan nominating petition or soliciting votes for a partisan candidate for public office.
6. Serving as a delegate, alternate or proxy to a political party caucus or convention.
7. Speaking at political party meetings in support of a partisan candidate for public office or party office.
8. Giving or receiving money for partisan political purposes unless the giving money for political purposes will remain confidential such as is provided in the state income tax law.
9. Endorsing a partisan candidate for public office or political party office in a political advertisement, broadcast, or campaign.
10. Speaking to a political convention, caucus rally or similar gathering of a political party except when providing information on an objective and nonpartisan basis.

B. IDENTIFICATION AS AN ADVOCATE. In addition a member of the Service and Fiscal Bureau must take care that the member is not identified as an advocate or an opponent of an issue which is subject to legislative debate.

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C. ALLOWABLE POLITICAL FUNCTIONS. There are some political functions which can be exercised by legislative staff which will not inhibit the exercise of a person's election franchise or free speech and will not diminish the fair and effective functioning of the Legislative Service and Fiscal Bureaus. While the following is not intended to be a complete list, it can be used as a guideline regarding allowable political activities. A member of the Service and Fiscal Bureaus may do the following:

1. Vote at all elections.
2. Discuss publicly legislative issues and matters of public interest so long as discussions are not directed toward party success or failure and so long as the discussion does not promote or downgrade a party or member of a party and lead other persons to believe that the employee favors one party or another.
3. Participate in nonpartisan elections or be politically active in issues which are not specifically identified with any national or political party.
4. Participate in public affairs if the participation does not materially imply that a person favors one political party or another.
5. Attend political conventions or functions to which the public at large is invited if the employee does not take part in the convention or in the deliberations and refrains from a public display of partisanship.
6. Attend any political meeting such as where political candidates or political figures are attending if the public at large is invited and if the attendance will not result in the appearance to persons that the employee is engaging in a political activity with the result that confidence in that employee could be eroded.

D. APPLICATION OF POLICIES TO IMMEDIATE FAMILY. The policies established shall not apply to the spouse or children of an employee of the Legislative Service and Fiscal Bureaus.

E. CONSULTATION WITH DEPARTMENT HEAD IN CASE OF QUESTIONS. An employee of the Legislative Service Bureau and the Legislative Fiscal Bureau should exercise judgment in participating in any activities that might be construed by others as partisan in nature and which might compromise the belief that an employee will work on a nonpartisan relationship. If an employee is in doubt about attendance at a particular function or a possible political practice, that employee should consult with the Director prior to attending the function in order that employees' right of free speech and association will be maintained and the efficiency and fairness of the offices will not be compromised as a result of a lack of confidence by the persons for whom the employees must work.

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F. PENALTIES. Penalty for violation of any of these provisions may include a warning, reprimand, demotion, suspension, loss of reclassification, loss of salary increase, or termination of employment. The director shall determine the penalty to be imposed, however no penalty, except a warning or reprimand, shall be imposed until the violation and penalty are reviewed by the Service Committee. The Service Committee may change or modify the penalty imposed by the director. The person penalized may object to the penalty through the grievance procedures. If a director violates these provisions, the Service Committee shall review the violation and impose the penalty, if any.