



POLITICAL ACTIVITY: **A PLAIN ENGLISH Q + A GUIDE FOR CITY OF** **CHICAGO EMPLOYEES AND OFFICIALS**

As November approaches, we remind everyone of the laws covering politically active City employees and officials. These laws are much stricter than those imposed on the general public. Engaging in political activity—working on campaigns, making political contributions—is our right. It’s protected by state law (the Local Governmental Employees Political Rights Act, 50 ILCS 135, et seq.). But City and state ethics laws prohibit public servants from improperly using taxpayer funds and public resources by engaging in such activity with government property, at work or on City time.

This guide highlights key do’s and don’ts. It’s not a substitute for legal advice from the Board. Please call us for a confidential advisory opinion if you have specific questions about what you can or can’t do as to the upcoming elections, or political activity generally. Remember: “there’s no such thing as a stupid question.”



Q: What’s meant by “political activity?”

A: The term includes most of what you’d think:

- managing or working on any federal, state or local political campaign
- organizing or participating in political rallies, demonstrations, or fundraisers
- making or soliciting political contributions (including tickets for political fundraisers)
- preparing reports of political contributions
- assisting at the polls on behalf of political organizations or candidates

- soliciting votes on behalf of candidates or referenda
- helping to get voters to the polls
- circulating candidate petitions
- distributing campaign literature, signs or other campaign material
- campaigning or running for any elective office (including local school councils)

Q. I’m a City employee. Can I work for the local committee to elect a person President of the United States by making phone calls or handing out leaflets to residents? Can I do that for an aldermanic candidate?

A: Yes, you can. But these rules apply, no matter which office the candidate seeks election to:

1. You cannot perform any political activity during any City compensated time.

→ What is **compensated time**? It means any time you’re at your City job, or any time for which you’re credited for any minimum City work time requirement. It does not include City holidays (like Casimir Pulaski or Columbus Day) or time on which you’re on an approved leave, such as your furlough, vacation or lunch time, or your personal day.

2. You cannot ever use (or be on) City property or resources while engaging in or performing any political activity, even on your vacation, furlough, or lunch.

→ City property or resources include buildings that the City owns or leases, City owned or issued pc’s, laptops, cell phones, smart phones or business cards—and your City title. It does not include the sidewalks or the public way (though it does include the parkway!).

3. If you exercise “contract management authority” in your City job, then you cannot serve on a “political fundraising committee.” But you can still be politically active, as long as you follow the other rules described.

→ **“Political fundraising committee”** includes not only any officially designated PAC, “Super PAC,” or candidate’s committee, but also any committee that handles money for the purpose of influencing any election.

→ **“Contract management authority”** means being involved in or directly supervising the formation or performance of a City contract (including drafting specs or scopes of services, reviewing RFP or RFQ responses, negotiating contracts, supervising vendors’ performance, or signing off on vouchers by which vendors are paid). Please call the Board if you’re not sure whether you have this authority.

Q: Can I speak with my City co-workers about working for a campaign?

A: It’s best not to. Why? You cannot require other City employees or officials to perform political activity as part of their job duties or during their time off, or compel or coerce them to make, not make or solicit political contributions, or knowingly solicit political contributions from any employee or official over whom you have supervisory authority. It’s often said, oddly, but correctly: “all political activity must be voluntary.”

Q: I’m not the candidate running for office, but can I solicit political contributions on behalf of another’s political campaign?

A: Generally yes—but you need to be very careful: Unless you yourself are the candidate for elected office, you cannot—in addition to restrictions on soliciting contributions from other City personnel, as described above—knowingly solicit or accept a political contribution from any person or firm doing business with the City. And, you can’t solicit, accept or make a political contribution while on City property or during compensated time.



Q: But can I make political contributions?

A: Yes, that’s your right. But know these 5 limitations:

→ A candidate’s committee must report all contributions and contributors under applicable law (so your contribution will become public record);

→ Executive branch employees cannot make political contributions to the Mayor (or to his committee);

→ No person can make a *cash* contribution exceeding \$250 to any candidate for City elected office (or to his or her authorized committee). Personal checks are not cash for this purpose;

→ Contributions to state or local candidates or elected officials, such as the City, are limited by Illinois law to \$5,000 to any single candidate per "election cycle." ("Election cycle" means the date of the last general or consolidated, or runoff election, at which the person occupying the office you'd like to contribute to was elected, until the date of the next primary or consolidated election for that same office. Chicago has no primaries, but has runoffs if necessary, which are their own election cycles.) So you can contribute up to \$5,000 during an election cycle to each candidate or official you wish;

→ For contributions to candidates for federal elected office, the limits are typically \$2,500 per candidate per election (and \$100 for cash contributions). For more information, see:

<http://www.fec.gov/pages/brochures/contrib.shtml#Chart>

Contributions to PACs or “Super PACs” may also be subject to other federal laws and rules.



Q: Can I wear a political t-shirt or campaign button at work?

A: No. City policies provide that employees may not wear partisan political buttons or apparel at their work site. Employees who have contact with the general public must be especially mindful of this. But you may wear these materials on your way to or from your City worksite (but not in a City-owned or leased parking lot!).

Q: Can I display a political sign in the front yard of my home?

A: Yes. Your home is not considered City property.

**Board of Ethics
740 N. Sedgwick, Suite 500
Chicago, IL 60654
312-744-9660
sberlin@cityofchicago.org**