

POLITICAL ACTIVITY FACT SHEET

Introduction

With limited exceptions,¹ an individual does not give up any rights to participate in the political process by virtue of becoming an employee of the University of Arizona. However, the University, through the Arizona Board of Regents, is funded in significant part by state appropriations. The taxpayers do not have a choice whether or not to contribute to this funding – they have to pay their taxes. They should not be forced to pay those taxes to support advocacy on political issues. Providing a forum for discussion of those issues is an element of the University's educational and public service missions; taking sides is not. This fact sheet is intended to provide guidelines on rights and responsibilities of University employees in connection with participation in political activity.²

University office space, support services, equipment and supplies (e.g., computers, printers, telephones, voice mail, fax machines, photocopy machines, e-mail accounts, intra-campus mail services, fleet management, paper, pens, envelopes, etc.) are provided to faculty and staff to enable effective job performance. This property, equipment and supplies are all considered to be "University resources."

Arizona Revised Statutes § 15-1633 prohibits the use of University personnel, equipment, materials, building or other resources for the purpose of influencing the outcomes of election. This section encompasses elections for public office, bond issues, and initiative and referendum propositions. It does not prohibit activities designed to increase public participation in elections, as long as those activities do not advocate a particular outcome.

The surest way to avoid prohibited activities is to refrain from engaging in political activity on University time or with University resources or property. Political activities should be conducted on an employee's own personal time and with the employee's own resources.

Examples of activities in which University employees may engage on their own time:

- Join a political party
- Vote in any municipal, special district, school, county, state or federal election.³
- Sign candidate nomination, recall, initiative and referendum petitions.

¹Arizona Constitution, Article IV, part 2, § 5 prohibits employees of the State of Arizona from serving in the state legislature unless employed as a teacher or instructor in the public school system, which includes the state universities.

²This summary does not address the permissible scope of activities of lobbyists on behalf of the University of Arizona. Nor does it address the permissible scope of activities of affiliated entities of the University of Arizona (e.g., The University of Arizona Foundation, University of Arizona Alumni Association).

³By statute, an employee is entitled to three consecutive hours of non-working time while the polls are open. If the work schedule does not provide such a window at the beginning or end of the work day, the employee may request time off to assure the availability of this voting window. The request must be submitted in advance, and the employer may specify the hours to be used.

- Make contributions to candidates, political parties, or campaign committees.
- Solicit contributions on behalf of candidates.
- Express opinions, or display badges, buttons and bumper stickers.⁴
- Attend and participate in political meetings.
- Any other lawful political activities, provided that the employee does not purport to speak or act in the name of the University.

Examples of prohibited activities:

- Stating or implying, orally or in writing, that the employee is speaking on behalf of the University on a political or electoral issue.
- Using University property, equipment, supplies or other resources (including phones, mail service, photocopiers, email accounts, stationery, or other items paid for by the University) for political or electoral advocacy.
- Engaging in campaign activities during regularly scheduled work hours.

The following laws, policies and resources are applicable to issues of employee political activity:

I. Arizona Revised Statutes

A. § 15-1633 (Use of University employees or resources to influence elections)

B. § 16-402 (Absence from employment for purpose of voting)

<http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp>

II. Arizona Attorney General Guideline under A.R.S. § 15-1633

<http://www.azag.gov/SchoolGuidelines/GuidelinesUseOfUniversityResourcesReElections.pdf>

III. Arizona Board of Regents Policies

A. 1-102 Lobbying

B. 6-905 Political Activity

http://www.abor.asu.edu/1_the_regents/policymanual/index.html

IV. University of Arizona Policies

A. Appointed Personnel -- UHAP sections 2.10 (Political Activity) and 8.04.04 (Political or Other Employment Leave) <http://web.arizona.edu/~uhap/>

B. Staff -- Classified Staff Policy 412.00 (Political Activity)

http://www.hr.arizona.edu/09_rel/clsstaffmanual.php

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⁴Under the Arizona Attorney General guidelines, University personnel may not wear political buttons, t-shirts, hats or other items displayed on their persons or apparel that are designed to influence the outcome of an election during 1) on-duty time, or 2) off-duty time while in a classroom or other instructional setting.