



Office of the City Manager

September 7, 2022

To: *DWR* Honorable Mayor and Councilmembers
Department Directors

From: Dee Williams-Ridley, City Manager

Subject: POLITICAL ACTIVITY IN THE NOVEMBER 8, 2022 ELECTION

Please remind all the employees in your department of the standards applicable to partisan political activity by public employees. As public employees, we serve all of the people of Berkeley, and it is important to refrain from activities that may give an appearance of impermissible political bias in carrying out our official duties.

To promote and preserve the impartial character of City service, all City employees shall comply with the following standards:

1. Employees shall not engage in any political activity of any sort during working hours or on City property.
2. Employees shall not solicit contributions from other employees or from persons on employment lists, either during or after work hours.
3. Employees shall not participate in political activities of any kind while in uniform.
4. Employees shall not wear any costume, button, notice, or any other device that communicates a position on any local, county, state or federal candidate or ballot measure during working hours or on City premises.
5. No employee shall be listed by official position on any campaign literature, unless the campaign literature contains an explicit notation that any references to City titles are "for identification purposes only."
6. Employees shall not use any property, resource, or privilege provided by the City to support or oppose a local, county, state or federal candidate or ballot measure. This includes, but is not limited to, employee work time, computers, mobile devices, data, distribution lists, copiers, fax machines, typewriters, and other equipment.

7. City employees shall not make City property which is not otherwise available to the general public available for political activities.
8. City employees may respond to requests for information about ballot measures provided that their statements are limited to accurate, impartial and objective information to aid voters in understanding the effects of a ballot measure. However, City employees may not participate in a campaign event on City time, even if only to provide an impartial informational presentation.

While the First Amendment protects the rights of City employees to engage in political activity while off duty, employees should be mindful of the fact that Berkeley is a politically active community and that City employees may be quickly characterized as "political". Under these circumstances, it is particularly important for all of us to avoid any appearance of political bias in our official duties.

This memorandum provides general guidelines regarding political activities by City employees and is not a substitute for legal advice. Please contact the City Attorney's office in advance with any questions related to employee participation in political activities.

Thank you for your cooperation in reaching this goal.