

# **POLITICAL ACTIVITY**

## **And the Classified State Employee**

(SOURCES – W. Va. Code § 3-8-3, § 3-8-4, § 3-8-12 and W. Va. Code § 29-6-20)

### **PERMITTED *VOLUNTARY* ACTIVITIES**

- Campaigning for a candidate or party during non-work time, off State property, and without use of State supplies or equipment, and within the provisions of Election Guidelines and Law, provided there is no personal compensation other than actual expenses incurred
- Serving as a poll clerk or worker
- Selling tickets to political affairs to individuals other than employees of the classified service
- Erecting campaign signs on private property, provided the property is not used as an official office site of the State
- Attending political dinners, rallies, and dances
- Serving on campaign committees for a candidate, provided there is no personal compensation for the service
- Being a candidate for local paid elective office by taking a leave of absence without pay commencing with the filing date, **however**, if elected must resign from the classified services.
- Being a candidate for and holding local unpaid elective office
- Making a monetary contribution to a political party or candidate not to exceed limitations established by law
- Placing a campaign sticker on a personal vehicle, at such times the vehicle is NOT being utilized for State business
- Wearing campaign buttons, displaying bumper stickers, or wearing apparel with political logos or endorsements during non-work time off State property, and out of State issued uniforms
- Participating in political activity pertaining to constitutional amendments, referendums, and municipal ordinances not otherwise prohibited

### **PROHIBITED ACTIVITIES**

- Using any official authority or influence to interfere with or influence an election or nomination for office
- Selling tickets to political affairs to employees in the classified service

- Wearing campaign buttons or apparel with political logos or endorsements during work hours if the position requires being observed by or being in contact with the public
- Serving as a political party committee treasurer or candidate financial agent
- Posting or distributing campaign literature in a State office building, including union and all other bulletin boards
- Being a candidate for any national, State paid public office, or court of record
- Being a candidate or delegate to any State or national political party convention
- Directly or indirectly coercing, attempting to coerce, commanding, or advising a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes
- Being a member of any national, State, or local committee of a political party
- Soliciting or receiving any assessment, subscription, or contribution from employees in the classified service
- Solicit or receive any assessment or contribution in any building, office, or room used for official State purpose
- Holding any paid elective public office
- Promising, directly or indirectly, any employment, position, work, compensation, or benefit as favor or reward for any political activity.

### **ADDITIONAL LIMITATIONS**

Hatch Act – Federally Funded State and Local Employees (5 U. S. C., Chapter 15)

Division of Highways Employees (W. Va. Code § 17-2A-5)

### **PENALTIES FOR VIOLATION**

Violation of any of the various State and federal statutes can result in fine, imprisonment, dismissal, and exclusion from employment with the State in any capacity for at least one year.

For clarification or additional information concerning political activities of State employees, contact:

West Virginia Division of Personnel, Employee Relations Section

Telephone: (304) 558-3950, extension 57209

<http://www.state.wv.us/admin/personnel/emprel/>

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