

POLICY: Political Activities Policy
SOURCE: POLICYSTAT

The purpose of this policy is to encourage all employees and affiliates of the University of Miami ("University") to exercise their rights of citizenship, including participating in the political process, while maintaining a neutral work environment that is free from pressure to contribute to, show support to, or perform tasks in support of a political campaign.

The University's status as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code prohibits it from participating or intervening in any political campaign, including the publishing or distributing of statements, on behalf of or in opposition to any political party or candidate for elective public office. The University may not endorse a candidate or ballot proposal, provide or solicit financial or other support for candidates or political organizations, or establish political action committees. Participating in political activities by or in the name of the University could jeopardize the University's tax-exempt status. As such, an additional purpose of this policy is to define certain limitations that preserve the University's tax-exempt status and protect against any conflicts of interest or commitment that may infringe on the ability of University employees and affiliates to perform their official duties and meet their responsibilities with maximum effectiveness and objectivity.

Nothing in this policy is intended to limit the rights of employees and affiliates to express personal opinions or engage in political activity off-site, during non-working hours, in their individual capacities as private citizens, and without use of University resources.

SCOPE:

The term "employees and affiliates" in this policy refers to, but is not limited to, all University staff, faculty, medical staff, student employees, Board members, consultants, contractors, vendors, volunteers, and any other individual representing or performing work on behalf of the University.

This policy may apply to employees and affiliates outside of work hours when the political activities being performed affect the employee or affiliate's professional responsibilities, violate applicable law, or constitute a violation of University policy.

Political campaign activities, in this context, include but are not limited to, payment or solicitation of campaign contributions, service in furtherance of candidates, political parties and/or political action committees, and advocating a particular position on a referendum.

POLICY:

I. PROHIBITED ACTIVITY

It is the policy of the University not to participate in, directly or indirectly, or to intervene in any political campaign on behalf of, or in opposition to, any candidate for public office. Participation includes distributing statements in favor of or opposed to a candidate and making direct campaign contributions of University funds, as well as in-kind, or non-cash, contributions to a candidate, political party, or political action group. Also included are the use of an employee's or affiliate's time while at work, office spaces and office supplies (envelopes, paper, etc.), telephones, computers, email, mailing lists, and photocopy machines.

Employees and affiliates are not permitted to use their position at the University to further the political activity of any person or group. If employees and affiliates are contacted by legislators or regulators regarding the University's position on public issues, employees and affiliates should refer them to the University's Office of Government and Community Relations. No employee or affiliate may engage in lobbying or hire an outside lobbyist or consultant without authorization from the University's Office of Government and Community Relations.

Employees and affiliates must refrain from attempting to influence government officials by providing or offering any benefit in the University's name, using University resources, or on behalf of the University. If an employee or affiliate is responsible for conducting transactions or handling contracts with governmental agencies, they must ensure that they are handled honestly and ethically.

Employees and affiliates must report inappropriate requests for benefits from government officials. If a government representative requests or demands any type of benefit from the University, the employee or affiliate must report the matter immediately to the University's Office of Government and Community Relations or the Office of the General Counsel.

Fundraising and/or contributions for political candidates or campaigns may not, under any circumstances, be solicited in the name of the University or on any University campus or through University email or other distribution mechanism. Employees and affiliates who wish to assist or contribute to a campaign may do so on their personal time but may not do so on the University's time or by utilizing any University resources. If an employee or affiliate wishes to assist a campaign during what would normally be their normal working hours, they must request, and have approved, the use of vacation time per the departmental process as outlined in the paid time off policy.

Employees and affiliates may not use University funds or attempt to be reimbursed with University funds for any political participation.

Employees and affiliates who engage in voter registration or "get out the vote" drives by University-sponsored organizations must do so on a non-partisan basis (e.g., they may not focus on a particular party).

Employees and affiliates may not solicit votes, engage in partisan campaigning, post campaign posters, or distribute campaign literature on the University campus or during work hours or through University email or other distribution mechanisms.

Employees and affiliates may not solicit funds, signatures, or other types of support for political campaigns while on campus or during work hours or through University email or other distribution mechanism.

Employees and affiliates may not display any partisan political campaign material on their person while on campus, at their workstations, or on University systems (e.g., email signature, screensavers, and other digital displays).

II. AFFILIATION WITH THE UNIVERSITY

When necessary, employees and affiliates should make clear that their affiliation with the University does not imply University approval or disapproval of their expressed view. An employee or affiliate endorsing or opposing a candidate for political office or taking a position

on an issue must make it clear that they are speaking as an individual and that they are not stating a University position.

Employees and affiliates may not use the University's name, logos, letterheads, symbols, or other identifiable marks of institutional affiliation, including pictures, for the purpose of endorsing or promoting political parties, campaigns, or candidates. Employees and affiliates must avoid the use of University trademarks, logos, and imagery in social media posts that are electoral or partisan in nature, or otherwise would imply the University's endorsement of a cause, candidate, or the views expressed in the post. Such a disclaimer may be necessary in activities such as:

Taking part in a public political meeting or speaking on behalf of a candidate or issue;

Making public statements, speaking with the media, or using social media;

Writing a letter or signing a statement connected to political activity, or when the employee or affiliate's name appears on a letterhead supporting a candidate or cause;

Supporting the employee or affiliate's own candidacy for an office.

At all times, any candidate for public office who is an employee or affiliate of the University shall conduct himself or herself in a professional and ethical manner in accordance with the standards of conduct of the University.

III. SOCIAL MEDIA

The University acknowledges that social media may be used to further the University's mission by providing channels of interaction and engagement between the University, University employees and affiliates, and the community. However, certain types of partisan political activities by the University or by University employees and affiliates, in their official capacities, are incompatible with the University's tax-exempt status under the law. In addition to the provisions contained in this policy, employees and affiliates within the University have guidelines provided in the University's Social Media Policy and employees and affiliates with the University of Miami Health System have guidelines provided in the University of Miami Hospital and Clinics' Social Media Policy.

IV. VOTER EDUCATION ACTIVITIES & POLLS

Certain activities such as voter education activities (including presenting public forums and publishing voter education guides) conducted in a non-partisan manner do not constitute prohibited political campaign activity under Section 501(c)(3) of the Internal Revenue Code for tax-exempt organizations. In addition, other activities intended to encourage participation in the electoral process, such as voter registration and get-out-the-vote drives, would not be prohibited political campaign activity, if conducted in a non-partisan manner. Employees and affiliates should not take part in polls intended to disclose the opinion of the University employees and affiliates as such on partisan political matters. This does not imply any restriction on participation in polls conducted among the general public.

Voter education or registration activities with evidence of bias that would favor one candidate over another, oppose a candidate in some manner, or have the effect of favoring a candidate or group of candidates, will constitute prohibited activity. University facilities and services may not be used by employees and affiliates or on behalf of an outside organization or individual whose

purpose is to further the cause of a particular candidate or political party. For example, designating a space on campus as campaign headquarters for a political candidate or party is prohibited.

V. REQUESTS FOR TIME OFF FOR POLITICAL ACTIVITY

Employees and affiliates are encouraged to vote. If an employee or affiliate wishes to vote during their normal working hours, they must request, and have approved, the use of paid time off per the departmental process as outlined by policy. Managers should provide flexibility if operations permit.

In cases where the political activity infringes on the employee or affiliate's ability to work during normal business hours or to complete assigned duties, the employee or affiliate must make arrangements with the proper University officials to request a temporary leave of absence. Employees and affiliates must provide sufficient prior notice to the appropriate University officials.

VI. RETALIATION PROHIBITED

The University prohibits taking negative action against any employee or affiliate for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee or affiliate who retaliates against another employee or affiliate for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

VII. VIOLATIONS

Violation of the provisions in this policy may lead to disciplinary action up to and including termination of employment.

VIII. RELATED POLICIES

Business Conduct and Ethical Standards

Student Affairs' Political Campaign Policies

University of Miami Social Media Policy

University of Miami Hospitals and Clinics' Social Media Policy