

# **ASK THE CITY ETHICIST**

## ***Getting Political***

By  
Dave Jacklevic



**Question:** *I am a full-time City employee who is also interested in politics. The presidential election is coming up and I am hoping to volunteer for one of the campaigns. My volunteer work would involve door-to-door canvassing in my neighborhood and soliciting donations over the phone. Am I allowed to participate in these volunteer activities?*

### **Answer:**

Public servants are generally permitted to volunteer and work for political campaigns. However, Chapter 68 of the City Charter, the City's Conflicts of Interest Law, does impose some limited restrictions on a public servant's political activities. These restrictions exist to preserve the public's trust in City government and to protect public employees from political pressure. So, while you are permitted to volunteer for the campaign, you should keep the following limitations in mind to ensure that you don't get yourself into trouble.

First and foremost, Chapter 68 prohibits City employees from using City time and resources for any political purpose. Accordingly, all of your political activities *must* be performed on your own time outside of your City work hours. Additionally, no City resources, including City computers, e-mail, letterhead, telephones, equipment, and personnel, may be used in connection with your political activities. While your agency's Acceptable Use Policy may allow for some limited personal use of City resources and time, the policy does not apply to political activities, which means that absolutely no City resources, not even a single photocopy or e-mail from your City account, can be used for your political activities.

The conflicts of interest law also places limitations on the extent to which a public servant may solicit other public servants to engage in political activities. Most notably, a public servant may not even *ask* another public servant who is their subordinate to participate in or contribute to a political campaign. This prohibition applies not only to solicitations in the workplace, but also to solicitations made outside of work, meaning that you cannot solicit donations or participation from any City subordinates who you might come across in your neighborhood or over the phone.

Finally, you are not permitted to use your City position to obtain or attempt to obtain any advantage for the campaign. In the context of soliciting donations or canvassing on behalf of a political campaign, you are prohibited from identifying yourself by your City title and thus implying that you can obtain some benefit for a potential contributor by way of your City position. As a related matter, you are also prohibited from using or disclosing any confidential City information to assist the campaign. If, for example, you have access to private financial information of City residents through your City position, you could not use or disclose that information to help target solicitations for the campaign.

As always, you should keep in mind that your own City agency may have additional rules regarding political activities, so be sure to check with your agency before signing up to volunteer. If you have any questions about whether your political activities would create a conflict of interest, call the Conflicts of Interest Board at 212-442-1400 and ask for the attorney of the day. You can also email us through our website (<http://www.nyc.gov/ethics>) by clicking on “Contact COIB.” All calls and emails are confidential, and you may contact us anonymously.

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“Ask the City Ethicist” is written monthly by the staff of the New York City Conflicts of Interest Board and appears originally in The Chief Leader. “Ask the City Ethicist” is provided as general information, and should not replace the text of Charter Chapter 68. For legal advice on City ethics matters, please call the Board at 212-442-1400. All calls are confidential. You may call anonymously if you wish. <http://nyc.gov/ethics>.