



## **Board Policy No. 145**

### **Elections: Political and Campaign Activities**

**ADOPTED:** 2/1988

**RECENT AMENDMENT:** 5/27/20

**SEE ALSO:** Ord. 16

**SUBJECT CATEGORY:** SECTION 100 – GOVERNANCE AND ADMINISTRATION

**SUBSECTION:** ELECTIONS

**CONTROL DEPARTMENT:** GENERAL COUNSEL, [DISTRICT SECRETARY](#)

#### **I. PURPOSE**

The purpose of this policy is to set forth the prohibited activities and ramifications with respect to political and campaign activities for elective offices and ballot measures.

#### **II. PERSONS AFFECTED**

The policy shall apply to all Board members, candidates seeking election to the Board of Directors, labor union officials, Board officers and employees of the Alameda-Contra Costa Transit District (District). This policy also applies to consultants and contractors while on District time or while at District facilities.

#### **III. DEFINITIONS**

**“Campaign Activities”** shall mean contributions or expenditures of money, goods, time or services to candidates for public office and/or support of or opposition to ballot measures.

**“Political Activities”** shall mean campaign, or other activities associated with the support or opposition to any ballot measure or the election or defeat of a candidate for public office.

**“District Facility”** shall mean any building, operating division, bus, maintenance yard, print shop or other District-owned or leased real property.

**“District Resources”** shall mean District e-mail, social media accounts or platforms, telephones, copiers, fax machines, computers, office supplies, compensated District employee time, or any other District resources.

#### **IV. POLICY**

##### **A. Misuse of District Resources**

1. Any use of District Resources for Campaign Activities or other Political Activities is strictly prohibited.
2. Any meetings held at District facilities shall avoid all forms of Political or Campaign Activities. Activities including, but not limited to, the endorsement of candidates for public office at AC

Transit and elsewhere, candidate interviews, forums, or question and answer sessions, are further prohibited. This provision also applies to ballot measures, provided, however, the District Board may take a position on a ballot measure at a public meeting and the District may provide informational material and answer questions about a ballot measure in such a way that it is not an argument for or against the measure.

## B. Prohibited Activities

1. No Board member or candidate seeking election to the Board of Directors shall solicit or obtain from any District employee a contribution of services, money, or any other thing of value for any election or campaign purpose.
2. In addition to the activities prohibited in paragraph 1 above, the following activities are strictly prohibited in relation to any measure or candidate:
  - (a) While on District time, campaigning for or against the passage of any measure or candidate.
  - (b) Campaigning in District uniform.
  - (c) Requesting District staff to set up meetings or make arrangements for meetings with interest groups, community organizations, voters, etc. to advocate for or against any measure or candidate, or otherwise using District resources to coordinate with a committee established to support or oppose a candidate or ballot measure.
  - (d) Sending out letters that appear to represent the Board of Directors or the District, with respect to any ballot measure or candidate.
  - (e) Charging any expenses for Campaign or Political Activities to the District or seeking any reimbursement from the District for those expenses.
  - (f) Using District funds for bumper stickers, posters, advertising “floats” or television or radio “spots,” or using electronic media to advocate for or against a ballot measure.
  - (g) Distributing campaign literature prepared by private proponents or opponents on District time or to District employees or members of the public at District facilities.
  - (h) Distributing campaign literature to District employees at work or at home while on District time or using District Resources.
  - (i) Posting campaign materials at District facilities.

- (j) Using the District's logo for campaign or political purposes, including, but not limited to, campaign materials. (Ref. District Ordinance 16)

### C. Enforcement

1. The use of District Resources for campaign activities can result in personal liability and disciplinary action. In addition, under regulations adopted by the Fair Political Practices Commission (FPPC), the use of District resources to advocate for or against a measure can result in a finding that campaign reporting requirements have been violated which may result in fines for the violation.
2. Anyone seeking guidance with regard to this policy should contact the General Counsel for the District.

### D. Notices

1. The District Secretary or General Counsel of the District shall distribute this policy to all persons affected, as identified herein, [no later than January 15<sup>th</sup> and](#) on or before July 1st of even numbered election years and in the event of a vacancy on the Board of Directors.