

Procedure: 4.3.2p5

Political Activities and Election Campaigns

Revised: September 28, 2022; March 13, 2019; March 13, 2018; July 16, 2014; and March 8, 2011
Last Reviewed: May 19, 2025
Adopted: March 8, 2011



I. PURPOSE:

The Technical College System of Georgia (TCSG) and its associated Technical Colleges shall comply with all applicable federal and state laws, rules, and regulations as they pertain to the ability of state employees to participate in the political process. This procedure outlines the activities that are specifically prohibited by State Personnel Board Rules and also addresses those instances in which a state employee may pursue (i.e., offer for) and hold certain elective or appointive offices. All TCSG employees are covered by the provisions of this procedure.

II. RELATED AUTHORITY:

Federal Hatch Political Activities Act 5 U.S.C. § 1502
Executive Order 04.01.21.57, Executive Order Establishing a New Code of Ethics for State Government
O.C.G.A. § 16-10-9- Acceptance of Office or Employment in more than One Branch of Government
O.C.G.A. § 21-4-10- Persons who may not Circulate Recall Application or Petition; Effect of Signatures Obtained by Unqualified Persons
O.C.G.A. § 45-10-1- Code of Ethics for Government Service Generally- Establishment and Text
O.C.G.A. § 45-10-70- Holding Office in Political Subdivision, Political Party, or Political Organization by Nonelective State Officers or Employees
O.C.G.A. § 45-11-10- Coercion of Other Officer or Employee to Give Anything of Value for Political Process
O.C.G.A. § 50-19-8- Unlawful to Transport Campaign Literature or Persons Soliciting Votes when State Paying Milage
State Personnel Board Rule 478-1-.07 Outside Employment
State Personnel Board Rule 478-1-.08 Political Activity

III. APPLICABILITY:

All work units and Technical Colleges associated with the Technical College System of Georgia.

IV. DEFINITIONS:

Applicant: any individual, including current employees, who have applied for a vacant position with a Technical College or the System Office of the Technical College System of Georgia.

Ethics Officer: the agency official designated by the Commissioner of the Technical College System of Georgia to ensure that all TCSG employees, including Technical College employees, are aware of applicable ethics laws, policies, and any Executive Order issued by the Office of the Governor.

Political Activity: activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group.

Recall Application or Petition: an application or petition to remove a public official from the elective office.

TCSG Work Site: the TCSG System Office, Quick Start Location, associated technical college campus, and any satellite campuses or offices.

Work Time: time an employee is scheduled to work but does not include time during which an employee is using leave or compensatory time.

V. ATTACHMENTS:

4.3.2p5.a1. Candidacy Notification Form

VI. PROCEDURE:

A. General Provisions:

1. All TCSG employees should familiarize themselves with the provisions of this policy and are personally responsible for determining if they are eligible to pursue, accept, and/or hold an appointment to a public office, political party office, or an office with a political organization.
2. Employees may engage in political activity as private citizens, provided that activity does not:
 - a. Conflict with their employment or take place during work time or at a TCSG work site,
 - b. Disrupt their work environment or otherwise negatively affect business operations
 - c. Coerce or appear to coerce the political action of other employees, contractors, vendors, or customers, or
 - d. Create the perception that the employee's personal political views or actions are representative of the State.
3. TCSG and its affiliated colleges will not discriminate for or against any applicant or employee in any employment matter because of political affiliation. No applicant or employee will be subject to an adverse employment action on the basis of his/her political opinions or affiliation.
4. No applicant for employment or any current employee participating in a selection process may be asked a question that is designed to elicit information as to their political or affiliation.
5. Retaliating against any employee, contractor, vendor, or customer for engaging in permissible political activity is prohibited.

B. Candidacy for Office:

1. Any TCSG employee may be a candidate for any elective or appointive office of a political subdivision of the state, political party, or political organization

provided that doing so does not conflict with the performance of the employee's official duties and is not otherwise prohibited by law.

2. Candidacy for federal, state, county, or municipal office will be established when an employee files a notice of candidacy with the Georgia Secretary of State's office. Candidacy for office in a political party or organization will be established upon official public announcement of candidacy.
3. An employee wishing to campaign for an elective office must consult with the Director of Human Resources at the System Office or technical college and notify the Ethics Officer (Attachment 4.3.2p5.a1., Candidacy Notification Form) before announcing and/or qualifying for the office.
 - a. The Ethics Officer, in consultation with the technical college president or Commissioner, as appropriate, will determine if the employee's candidacy creates a conflict with current employment.
 - b. If the Ethics Officer determines that a conflict exists, the employee may be required to take a leave of absence without pay while the employee is a candidate for office.
4. An employee whose principal employment is fully (i.e., 100%) federally-funded by loans or grants made by the United States or a federal agency is covered by the Federal Hatch Political Activities Act and may not:
 - a. Use their official authority or influence for the purpose of interfering with or affecting the results of an election or nomination for office;
 - b. Directly or indirectly coerce, attempt to coerce, command, or advise 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; or,
 - c. Be a candidate for public elective office in a partisan election (which may include some part-time offices of local subdivisions of the State).

C. Holding Office

1. An employee must resign or forfeit employment if they are elected or appointed to any full-time office or other office that conflicts with current employment.
2. Employees of the Technical College System of Georgia and its associated technical colleges may not hold office or be employed (in any capacity) in the legislative or judicial branches of the State of Georgia. Note:
 - a. An employee may request an unpaid leave of absence to serve temporarily as an employee of the legislative branch while the General Assembly is in session and during any authorized "stay-over" period. Any such request must be approved, in advance, by the Commissioner and the technical college president, if applicable.

D. Prohibited Political Activities:

1. Employees are prohibited from engaging in the following political activities:
 - a. Conducting any form of political activity during work hours or while at a TCSG work site.
 - b. Soliciting other TCSG System Office or technical college employees for any political purpose whether or not the activity takes place while at a TCSG work site or during work hours.
 - c. Seeking, using, or attempting to use any coercive political pressure

- to secure for themselves or any other person an appointment, promotion, salary increase, or any other employment advantage.
- d. Using or promising to use, directly or indirectly, any official authority to influence or coerce the political action/decision(s) of any other person (including other employees, contractors, vendors, or customers), or to affect the results of a nomination, campaign or election to any public office, political party office, or an office of a political organization.
 - e. Circulating a recall application or petition by any means, including email or social media.
 - f. Receiving state-paid transportation mileage while transporting any political campaign literature or matter, engaging in soliciting votes, or transporting any person soliciting votes in any election
 - g. Coercing other employees, contractors, vendors, or customers to pay, lend, or contribute items of value for political purposes.
 - h. Soliciting or knowingly accepting any campaign contributions in a state building or office, except when the space is rented for the specific purpose of holding a campaign fundraiser
 - i. Representing that a personal endorsement of or opposition to a political candidate is the official position of the State or a state agency.

E. Consequences for Prohibited Political Activity

- 1. Any applicant or employee who seeks, uses, or attempts to use any coercive political pressure to secure an advantage in employment will be subject to appropriate action up to and including denial or termination of employment.
- 2. Any employee who is elected or appointed to full-time office or other office that conflicts with current employment must resign or forfeit employment upon assuming office.
- 3. Any employee whose employment is entirely federally funded must resign from or forfeit such employment upon becoming a candidate for any elective office.
- 4. Any employee who engages in prohibited political activity will be subject to appropriate action, up to and including termination of employment. Such termination of employment will be considered a voluntary forfeiture of employment.

VII. RECORD RETENTION:

A completed Candidacy Notification Form shall be maintained in an employee's official personnel file with all other employment-related documents.

Attachment: 4.3.2p5.a1.



Candidacy Notification Form

(Please refer to TCSG Procedure on Political Activity prior to completing this form)

SECTION I – TO BE COMPLETED BY THE EMPLOYEE

Employee Name: _____

Job Title: _____

Work Unit: _____

Please Complete if Seeking a Public (Elective) Office:

Position Sought: _____

Description of Duties: _____

When will the election or appointment take place? _____

What is the term of the Office? _____

Would the Office be:

Full-time _____

Part-time _____

Is there any possible conflict with your TCSG position? _____

Please Complete if Seeking a Position/Office with a Political Party or Political Organization:

Name of Organization, Political Group, Committee, etc.

Description of position or Office and duties to be performed: _____

Are you requesting permission to be a delegate to a political convention?

Yes _____

No _____

If yes, describe potential duties. _____

Is there any possible conflict with your TCSG position?

Yes _____

No _____

If yes, describe the conflict. _____

As an employee of the Technical College System of Georgia, I am not permitted to participate in any form of political activity contrary to federal or State laws, rules, or regulations, or TCSG policy. Further, I have read the TCSG policy on Political Activity, and the above-stated information is accurate regarding my political activity.

Employee's Signature

Date

**SECTION II. FOR COMPLETION BY THE COMMISSIONER, TECHNICAL
COLLEGE PRESIDENT, OR THEIR DESIGNEE:**

Is the requesting employee's principal employment connected with an activity financed in whole or partly by loans or grants from the Federal Government, including military grants/loans?

Yes _____

No _____

Would the employee's appointment or election create an actual conflict of interest or give the appearance of a conflict of interest regarding the duties and responsibilities of their current position?

Yes _____

No _____

If yes, the rationale is as follows: _____

The request is: **Approved**_____ **Denied**_____

If denied, reason(s) for denial:

Signature

Date