

123:1-46-02

**Political activity of employees in the classified service of the state.**

(A) The purpose of this rule is to provide appointing authorities, personnel officers, and others with guidelines concerning political activity. Employees in the classified service of the state are prohibited by section 124.57 of the Revised Code from engaging in political activity.

(1) "Classified service" means all persons in active pay status serving in the competitive classified civil service of the state, ~~the counties, or the general health districts~~. Unless specifically exempted from the classified service in accordance with the Revised Code and these rules, an employee shall be considered to be in the classified service for purposes of this rule.

(2) "Political activity" and "politics" refer to partisan activities, campaigns, and elections involving primaries, partisan ballots, or partisan candidates.

(B) ~~The following are examples~~ Examples of permissible activities for employees in the classified service include, but are not limited to the following:

(1) Registration and voting;

(2) Expression of opinions, either oral or written;

(3) Voluntary financial contributions to political candidates or organizations;

(4) Circulation of nonpartisan petitions, petitions that do not identify with any particular party, or petitions stating views on legislation;

(5) Attendance at political rallies;

(6) Signing nominating petitions in support of individuals;

(7) Display of political materials in the employee's home or on the employee's property;

(8) Wearing political badges or buttons, or the display of political stickers on private vehicles; and

(9) Serving as a precinct election official under section 3501.22 of the Revised Code.

(C) The following activities are prohibited to employees in the classified service:

- (1) Candidacy for public office in a partisan election;
- (2) Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
- (3) Filing of petitions meeting statutory requirements for partisan candidacy to elective office;
- (4) Circulation of official nominating petitions for any candidate participating in a partisan election;
- (5) Service in an elected or appointed office in any partisan political organization;
- (6) Acceptance of a party-sponsored appointment to any office normally filled by partisan election;
- (7) Campaigning by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
- (8) Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate;
- (9) Solicitation of the sale, or actual sale, of political party tickets;
- (10) Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
- (11) Service as witness or challenger for any party or partisan committee;
- (12) Participation in political caucuses of a partisan nature; and
- (13) Participation in a political action committee which supports partisan activity.

(D) An employee in the classified service who engages in any of the activities listed in

paragraphs (C)(1) to (C)(13) of this rule is subject to removal from his or her position in the classified service. The appointing authority may initiate such removal action in accordance with the procedures in section 124.34 of the Revised Code. The director may also institute an investigation or action in case of a violation.

- (E) Employees in the unclassified service service of the state, ~~who serve at the pleasure of the appointing authority and are not subject to competitive examination~~, are not prohibited from engaging in political activity unless specifically precluded by federal or state constitutional or statutory provisions.
- (F) Service in an appointed or elected position is prohibited when such position is subordinate to or in any way a check upon a position concurrently occupied by a classified or unclassified employee, or when it is physically impossible for one person to discharge the duties of both positions, or if some specific constitutional or statutory bar exists prohibiting a person from serving both positions.
- (G) If any person holding public office or employment is convicted of violating the Revised Code provisions prohibiting abuse of political influence, such office or position shall thereby be rendered vacant.

Effective:

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Certification

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Date

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