



# TACOMA HOUSING AUTHORITY

<b>Policy No.</b>	HR-10.10
<b>Policy</b>	Business, Political or Religious Activities
<b>Date</b>	July 16, 2009

## 1. Purpose

- 1.1 To implement federal and state laws limiting political, religious and private business activity by employees while engaged in publicly funded work or when using public facilities or equipment;
- 1.2 To protect THA staff, tenants, clients and business partners and prospective staff, tenants, clients and business partners from any political, religious, or private business interference with their relationship with THA;
- 1.3 To prevent persons from publicly associating THA with their political or religious views or business activities;
- 1.4 To state the right of employees, within the limits of this policy and the law, to engage in political, religious, and private business activity on their own time and with their own resources.

## 2. Sources for Policy

- ▶ Hatch Act, 15 U.S.C. § 1501 *et seq*; 5 C.F.R. § 151.101 *et seq*;
- ▶ RCW 41.06.250;
- ▶ U.S. Const. 1<sup>st</sup> Amendment;
- ▶ Wash. Const. Art. 1, §§ 5, 11.

## 3. Scope of Policy

This policy applies to all THA staff.

## 4. Who is Responsible for Implementing Policy

Who	Responsibilities
<i>All Staff</i>	To conform their activities and their use of THA time and facilities to this policy.
<i>Supervisors</i>	To help staff understand this policy and address any violations.

## 5. Definitions

<i>Partisan</i>	Representing a national or state political party (or affiliated organization) any of whose candidates for Presidential elector received votes in the preceding presidential election.
<i>Business</i>	Benefiting private interests of THA staff or other persons, including solicitation of charitable contributions.

## **6. Forms Associated with this Policy**

[No entry.]

## **7. Policy**

### **7.1 Prohibited Activities**

THA staff may not engage in the following activities:

- (a) Be a candidate for public office in a partisan election without prior written approval. Approval is necessary to avoid impermissible conflicts of interest;
- (b) Use the authority or influence of their THA position to interfere with or affect the results of an election or nomination, whether partisan or nonpartisan;
- (c) Use work time or any THA facility or equipment for political, religious, or business purposes;
- (d) Impose, either verbally or in other ways, the employee's political, religious, or business views or interests on THA's tenants or clients, THA's business partners, or prospective THA tenants, clients, or business partners, or unwilling THA staff;
- (e) Give or invite the impression that THA's employment, terms or conditions of employment, services or business is in any way conditioned upon the willingness of a THA staff person, tenant, client, business partner or applicant for employment, housing, services or business to listen to, consider, or agree with political, religious or business views or interests of the employee.

NOTE: THA staff exercise formidable authority over people who receive or seek THA's employment, housing, services or business. Caution is necessary to avoid any misunderstanding that politics, religion, or personal business interests play any role in THA's decisions. Misunderstandings about these matters may be especially likely with tenants or clients who may be desperate to receive housing or services, have limited education or English speaking ability, or may be immigrants who are not equipped to know what behavior from THA staff is appropriate or inappropriate. Similarly, supervisors exercise formidable authority over their subordinates.

To avoid misunderstandings and to further implement this policy, THA staff shall not:

- (i) solicit, accept, or grant loans to THA's tenants or clients, THA's business partners (except for business partners employed in the financial business and then such loans shall be arms-length transactions on commercially reasonable terms), or prospective THA tenants, clients, vendors or business partners;
  - (ii) initiate or prolong discussions of politics or religion with THA's tenants or clients or prospective tenants or clients;
  - (iii) solicit gifts, donations, loans from subordinates.
- (f) Directly or indirectly coerce or command another THA employee, THA tenant or client, THA business partner, or prospective THA tenant, client or business partner to contribute anything of value to a political party, committee, organization, agency or person for political purposes, whether partisan or nonpartisan;
  - (g) Engage in any political, religious, or business activity that conveys the impression or suggestion that THA endorses or sponsors the activity or in any way is associated with the activity.

## **7.2 Permitted Activities**

THA staff are free to engage in other political, religious and business activity on their own time and with their own resources. These permissible activities include, but are not limited to, the following:

- (a) Be a candidate for office in nonpartisan elections;
- (b) Campaign for or against political clubs and organizations, including partisan organizations;
- (c) Hold office in political clubs and organizations, including partisan organizations;
- (d) Actively campaign for or against candidates for public office in partisan or nonpartisan elections;
- (e) Contribute money to political organizations and attend political fundraising functions;
- (f) Engage in other political, religious, and business activity to the widest extent consistent with the restrictions imposed by law and this policy.

### **7.3 Compliance with RCW 42.17.680**

Notwithstanding any other provision in this policy, THA will fully comply with the limitations on employers in RCW 42.17.680. THA will not discriminate against any employee for that employee's personal failure to contribute to, failure in any way to support or oppose or in any way supporting or opposing a candidate, ballot proposition, political party or political committee.

If any employee has any question as to whether a specific political, religious or business activity violates this policy, employee must contact THA's Human Resources Director.