

 <b>ROSWELL PARK</b> CANCER INSTITUTE	<b>Roswell Park Cancer Institute</b>  Policy and Procedure	<b>Date Issued:</b> 9/1/1997	<b>Number:</b> 230.1
	<b>Title:</b> Political Activity	<b>Revision:</b> 5	<b>Effective Date:</b> 6/26/17
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**A. GENERAL STATEMENT OF POLICY**

Federal and State laws regulate the political activity of employees of the Roswell Park Cancer Institute (RPCI) and Health Research, Inc., Roswell Park Division (HRI). Affected employees must comply with these laws before becoming involved in any political activity. Additionally, no political activity may be undertaken on behalf of RPCI and/or HRI except as approved and coordinated by the Office of Government Affairs.

**B. SCOPE**

This applies to all PBC staff and, where applicable, to HRI staff.

**C. ADMINISTRATION**

This policy will be administered by the Institute President/CEO through the Human Resources Management Department.

**D. POLICY / PROCEDURE**

**I. THE FEDERAL HATCH ACT**

1. The following activities are not restricted and employees are permitted to:
  - a. Be a candidate for a position or serve as an officer of a political party, or as delegate to a political party convention, member of a National, State or local committee of a political party, officer or members of a committee of a partisan political club;
  - b. Organize or reorganize a political party, organization, political club;
  - c. Organize or sell tickets to, promote, or actively participate in fund-raising activity of a partisan candidate, political party or political club;
  - d. Take an active part in managing the political campaign of a partisan candidate for public office or political party office;
  - e. Solicit votes in support of, or in opposition to, a partisan candidate for public office or political party office;
  - f. Act as a recorder, watcher, challenger or similar officer at polls on behalf of a political party or partisan candidate;
  - g. Drive voters to the polls on behalf of a political party or partisan candidate;
  - h. Endorse or oppose a partisan candidate for public office or political party office in a political advertisement, a broadcast, campaign literature or similar material;

- i. Address a convention, caucus, rally or similar gathering of a political party in support of, or in opposition to, a partisan candidate, for public office or political party office;
  - j. Initiate or circulate a partisan nominating petition.
- 2. A state or local officer is not prohibited from being a candidate in a non-partisan election; that is, an election which none of the candidates are to be nominated or elected as representing a political party whose candidate for President received electoral votes in the last election at which Presidential electors were selected.
- 3. The Federal Hatch Act applies to all employees of the PBC or HRI whose principal employment is in connection with any activity financed in whole or in part by grants from the Federal Government. Since some programs of the PBC are financed by such grants, many employees are subject to the provisions of this act. If there is a question on the part of an employee, an opinion should be requested through the Human Resources Management Department. Under this act, employees retain the right to vote as they may choose and express their opinions on all political subjects and candidates; only the following are prohibited:
  - a. The use of official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
  - b. To directly or indirectly coerce, attempt to coerce, command, advise an employee to pay, lend, contribute anything of value to a party, committee, organization, agency or person for political purposes;
  - c. Being a candidate for public elective office in a partisan primary, general or special election.
- 4. The penalty for violation of the Hatch Act is removal from all positions financed wholly or in part by Federal funds. Any person having knowledge of the violation of any forgoing prohibitions should submit the facts to the Human Resources Management Department.

## **II. NEW YORK STATE CIVIL SERVICE LAW**

- 1. The New York State Civil Service Law (§107) prohibits the following political activities, defined as doing something in active support of or opposition to a political party, candidate for partisan political office (e.g., President, senator, representative, state or local legislature or office) or a partisan political group by PBC and HRI employees
  - a. Use of authority or official influence to compel or induce any other State officer or employee to pay, or promise to pay any political assessment, subscription or contribution;
  - b. Inquiry regarding political affiliations of any persons as a test for fitness for obtaining or holding State employment ;
  - c. A potential employee cannot be asked about their political party affiliation, whether or not that applicant made any political contributions or how that applicant voted.
  - d. Using or promising to use (directly or indirectly) any official authority or influence (possessed or merely anticipated) to secure aid to a person to secure any office or public employment, or any nomination, confirmation, promotion, or increase in salary based upon vote or political opinions or affiliation of the person, or interfere with any election.
- 2. Violation of the Civil Service law or rules by any person in the Civil Service of the State shall be considered good cause of dismissal. Violation of Civil Service Law may subject the employee to a civil penalty from JCOPE of up to \$ 40,000 and prosecution for a misdemeanor.

III. **ROSWELL PARK CANCER INSTITUTE CORPORATION POLICY**

1. PBC and State policy requires the separation of political activity from the conduct of official Institute business.
2. There must be a clear distinction between any political activities and the proper discharge of duties as an Institute employee.
3. Use of Institute equipment, for example, telephones, fax machines, computers, email vehicles or office space is prohibited.

**E. DISTRIBUTION**

This Policy and Procedure will be distributed to all Institute Managers via the RPCI internal web page and to holders of backup hard copies of the manual. Managers are responsible for communicating policy content to pertinent staff.