



Board Policy No. 145

Elections: Political and Campaign Activities

ADOPTED: 2/1988

RECENT AMENDMENT: 6/27/18

SEE ALSO: Ord. 16

SUBJECT CATEGORY: SECTION 100 – GOVERNANCE AND ADMINISTRATION

SUBSECTION: ELECTIONS

CONTROL DEPARTMENT: GENERAL COUNSEL

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 political office and/or support of or opposition to ballot measures.

“Political Activities” shall mean campaign, lobbying 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.

IV. POLICY

A. Misuse of District Resources

1. Any use of District resources or personnel for campaign purposes or other political activities related to a candidate or ballot measure is strictly prohibited. This prohibition includes the use of District e-mail, District social media accounts or platforms, telephones, copiers, fax machines, computers, office supplies, or any other District resources for campaign purposes.
2. Any meetings held at District facilities shall avoid all forms of election or campaign activities. These activities include, but are not limited to, the endorsement of candidates for public office at AC Transit and elsewhere, candidate interviews, forums, or question and answer sessions. This provision also applies to ballot measures, provided, however,

that 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

The following activities are strictly prohibited regarding the passage or defeat of any measure or candidate:

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. While on District time, campaign for or against the passage of any measure or candidate.
3. Campaigning in District uniform.
4. Request 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.
5. Send out letters that appear to represent the Board of Directors or the District.
6. Charge any expenses for campaign activities to the District or seek any reimbursement from the District for those expenses.
7. Use District funds for bumper stickers, posters, advertising “floats” or television or radio “spots”.
8. Distribute campaign literature prepared by private proponents or opponents on District time or to District employees at District facilities.
9. Distribute campaign literature to District employees at work or at home.
10. Post campaign materials at District facilities.
11. Use the District’s logo for campaign 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 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, on or before July 1st of even numbered election years and in the event of a vacancy on the Board of Directors.