

From: Commissioners Office, DOA (DOA sponsored)
Sent: Friday, February 29, 2008 2:16 PM
To: SOA All Employees Executive Branch
Subject: State email use

Dear State Employee,

The 2008 election is approaching and political activity is increasing.

Some of you may have received e-mail partisan political messages soliciting your response. State employees are prohibited from using the state e-mail system or using other state equipment, including fax machines, telephones, computers, or copiers, for partisan political purposes. However, if you receive such a message, you may respond that Alaska law forbids your use of state equipment for partisan political purposes and ask that the sender not send you further messages concerning campaign activities. This same prohibition applies to sending email messages regarding legislation. If you are expressing your support or opposition to a bill under consideration by the Legislature, remember to send those messages from your home email address and your personal computer.

Displaying partisan web sites or email messages and the wearing political buttons and t-shirts while at work is prohibited and may be a violation of the Executive Branch Ethics Act in addition to specific personnel statutes.

As a reminder, here are the rights and restrictions applicable to employee political activities:

Alaska Statute 39.25.178 provides that a state employee may:

- (1) be a member of a national, state, or local political party;
- (2) take part in a political campaign;
- (3) express political opinions; however, while engaged on official business, a state employee may not display or distribute partisan political material;
- (4) register party preference;
- (5) serve as a voting or nonvoting delegate to a party convention;

(6) be appointed, nominated, or elected to nonpartisan public office in a local government unit; and

(7) make contributions to a political party or a candidate for public office.

Alaska Statute 39.25.160 states certain restrictions:

(1) a classified employee may not take an active part in the management of a political party above the precinct level;

(2) a person may not require an assessment, subscription, contribution, or service for a political party from a state employee;

(3) a person may not seek or attempt to use a political party endorsement in connection with an appointment or promotion in the classified service;

(4) an employee in the classified or partially exempt service who seeks nomination or becomes a candidate for state or national elective office must immediately resign any position held in state service. The employee's position becomes vacant on the date the employee files a declaration of candidacy for state or national elective office. (This provision also applies to many employees in the exempt service. Exempt employees should consult AS 39.25.160(e).)

(5) action affecting the employment status of an employee in the classified service (or an applicant for a position in the classified service), including appointment, promotion, demotion, suspension, or removal, may not be taken or withheld on the basis of unlawful discrimination due to political beliefs;

(6) a state employee, whether in the classified, partially exempt, or exempt service, may not campaign on behalf of a political candidate on government time.

As explicit as these provisions are, they do not replace good judgment in your daily conduct of state business. They also may not cover every possible situation. Employees are encouraged to seek guidance from their supervisors if questions arise.

Thank you for your attention to this important matter.

Sincerely,

Annette Kreitzer
Commissioner
Department of Administration