

FEDERAL CIVILIAN EMPLOYEES and FEDERAL HATCH ACT REGULATIONS:

With elections rapidly approaching it is important to understand the rules of the Federal Hatch Act which regulates the political actions of Federal Civilian Employees. Different rules apply depending on whether you are at work or not. Most Federal Civilian Employees are covered by the Hatch Act. Navy Civilian Federal Employees are covered by the Hatch Act regulations (see attached OSC materials and 5 CFR 733 and 734).

Under the Hatch Act, you MAY register and vote freely as you choose. However, you may not be aware that while off duty and outside of work, you are allowed to contribute money to political organizations, assist in voter registration drives, sign nominating petitions, join and actively participate in political rallies and meetings, and even hold office in political clubs or parties. Distributing campaign literature in partisan elections, displaying a bumper sticker on your personal vehicle, and running for office in a nonpartisan election are also allowed, if performed away from work and off duty.

However, as a Federal Civilian Employee or Member of the Armed Services, you CANNOT engage in any type of political activity while on duty, or while you are in a government office or other government building, or on government property, nor while wearing an official uniform, or in a government vehicle.

In addition, we CANNOT post any personal views or opinions, posters, bumper stickers, etc within Government work spaces, or on Government vehicles or other Government property. We are also NOT allowed to wear political buttons while on duty or run for public office in a partisan elections. We may not solicit, accept, or receive political contributions or use our official position, authority, or influence to interfere with or affect the outcome of an election. There are also some exceptions regarding "running for office" for civilian employees residing in our local area. The attached Hatch Act Booklet explains this on page 10. (Hardcopies will be available for reading at each NAVFAC Northwest area soon.)

The Office of Special Counsel (OSC), has reiterated to all Agency Heads that Federal civilian employees need to remember that failure to adhere to the rules of the Hatch Act can result in disciplinary and adverse actions, including removal from Federal employment.

It also is very important for you to note, this year the OSC has REVERSED their previously more lenient opinion on what has been traditionally called "water cooler discussions" -- these included allowing discussions "at the office", stating your personal views and opinions as well as the previously allowed use of Government short comments within e-mails and to disseminate such personal opinions.

Several Merit Systems Protection Board cases **upholding removal actions** of Federal civilian employees for political activity, is what influenced the OSC to reverse their previous position. Special Counsel Scott Bloch stated recently to the publication Fed-Manager. The four MSPB decisions send a clear message to the federal community. The Hatch Act prohibits Federal employees from sending e-mails that advocate for a political party or candidate for partisan public office while on duty or in a federal building, and engaging in such activity may subject them to disciplinary action, including the loss of their job. No political activity means no political activity, regardless of the specific technology used.

For further questions regarding the Hatch Act you may go to the <http://www.osc.gov> website, or contact our HRO Advisors at 396-6912 or 396-6880 for further guidance.