

CHAPTER 12

Solicitation, Conflict of Interest & Political Activity

A. Solicitation

Employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for reasons of personal gain, unless approved by the department director.

B. Conflict of Interest

No employee will engage in any activity or enterprise that conflicts with his/her duties as a city employee or with the duties, functions, and responsibilities of the department in which he/she is employed. The following activities will be considered conflicts of interest in city employment, and it should be noted that the list of activities deemed to be conflicts are not intended to be all-inclusive:

1. Any employment, activity or enterprise that involves the use, for private gain, of the City's time, facilities, equipment, or supplies or the badge, uniform, prestige, or influence of the office of employment; or
2. Any employment, activity or enterprise that involves the receipt or acceptance by an officer or employee of any money or other consideration from anyone other than the City for the performance of an act which an officer or employee would be required or expected to render in the regular course of city employment or as part of his/her duties as a city employee; or
3. Any employment, activity or enterprise that involves the performance of an act in other than his/her capacity as a city officer or employee which may later be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement by such officer or employee of the department within which he/she is employed; or
4. Any employment, activity or enterprise that involves so much of the employee's time that it impairs his/her attendance and efficiency in the performance of his/her duties as a city officer or an employee.

C. Prohibition of Political Activity

1. Employees, including exempt/nonexempt or temporary employees, are strictly prohibited from engaging in the following activities associated with a City election for the election of a City Council Member or the recall of a City Council Member.

- a. Running as a candidate for the Avondale City Council. Any employee interested in running for a seat on the Avondale City Council must resign from City employment at the time the employee files for candidacy.
 - b. Signing or circulating nominating petitions pertaining to candidates for the Avondale City Council (i) while on-duty or while wearing an official uniform or insignia of the City, or (ii) at City-sponsored events.
 - c. Signing or circulating petitions for the recall of a City Council member.
 - d. Making campaign contributions to a candidate for Avondale City Council or for the recall of an Avondale City Council Member.
 - e. Advocating for or against a particular candidate for Avondale City Council or for recall of an Avondale City Council Member (i) while on-duty or while wearing an official uniform or insignia of the City, or (ii) at City-sponsored events.
 - f. Any other involvement with an Avondale City Council candidate's campaign, other than casting an individual ballot.
 - g. Using City resources to influence the outcome of a City election.
2. Employees, including exempt/nonexempt or temporary employees, may sign petitions or express personal opinions on referendum and initiative measures pertaining to Avondale City ordinances or on bond elections called by the Avondale City Council, so long as the employees are not (a) on-duty or wearing official uniforms or insignia of the City, or (b) at City-sponsored events. No City resources may be used. It must be clear that any opinion expressed by a City employee is strictly an individual, personal opinion and in no way represents the City's position on the issue.
 3. In all cases, pursuant to state law, City employees shall not use the authority of their positions as City employees to influence the vote or political activities of any subordinate employees with respect to any election.
 4. Political activity on the national, state or county level is unrestricted, except that any employee desiring to hold such office will refrain from any campaign activity (a) while on duty as an employee or while wearing the uniform or insignia of the City, or (b) at City-sponsored events. The state level includes any governmental subdivision of the State, except the City of Avondale. Holding a state or county office shall be subject to laws governing incompatible offices.

D. Conflicts Between Policies

To the extent that any provision in this Chapter 12 conflicts with any Administrative Policies or directives, the provisions of this Chapter shall govern.