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Director

**State of Louisiana**  
**DEPARTMENT OF STATE CIVIL SERVICE**

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*"Partnering for a better Louisiana"*

LEGAL SECTION

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Dear: Employees, Managers, and Human Resources Professionals

On October 22, 2011 citizens of the State of Louisiana will go to the polls for the election of state-wide officials. The offices subject to state-wide election are the Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Commissioner of Agriculture and Forestry and Commissioner of Insurance. In addition to these state-wide elections there will be many local and regional elections on the ballot as well. Therefore, I would like to remind classified state employees of the prohibited political activities as they relate to elections in accordance with Article X, Section 9 of the 1974 Constitution and in Chapter 14 of the State Civil Service Rules.

These prohibitions apply to all current classified employees, classified employees who are on leave without pay to serve in an unclassified position and members of the State Civil Service Commission.

Employees are prohibited from engaging in political activity. Political Activity means an effort to support or oppose the election of a candidate for political office or to support or oppose a particular party in an election. This includes actual support of a candidate, party or faction and the appearance of giving such support.

Therefore, you may not place political signs in your yard, bumper stickers on your vehicle, or wear a button, pin, or clothing that could be perceived as supporting a candidate or party, attend any fund raising function of a candidate or political party or faction, or solicits votes for or against a candidate, party or faction.

Employees are prohibited from being a candidate for nomination or election to a public office. This applies to national, state or local public offices. This means that an employee may not be a candidate for a local police jury, school board, judge or parish council; nor can an employee be a candidate for the legislature, governor's office, BESE board, or Public Service Commission, to name a few.

Employees are prohibited from being a member of any national, state, or local committee of a political party or faction. This means that you may not be a member of the Republican National Committee, the Democratic National Committee, the Louisiana Democratic Party, the Louisiana Republican Party, or the committee of any other political party.

Employees may not take an active part in the management of the affairs of a political party, faction, candidate, or any political campaign. This means you may not volunteer in a person or party's campaign, make calls for a person or party, go door to door campaigning for a person or party, donate or loan money, distribute T-shirts, hats, stickers, pins, fans, or any other material in the support or opposition of a candidate or political party or faction.

Employees in the classified service may not take an active part in the recall from office of an elected official. This means a classified employee may not file a petition for recall or solicit signatures for a recall petition.

*So what is a classified employee permitted to do as it relates to elections?*

You may vote, be a commissioner or poll watcher, express your opinions privately, and sign a recall petition. You may attend a free function open to the public where any or all of the candidates may speak or present their views. You may attend a victory celebration.

You may publically support or oppose a cause. Examples of a cause would be a tax election, a bond issue and constitutional amendments.

The United States Supreme Court has recognized that a state has the right to limit the political activity of its workers to ensure the enforcement and application of laws for the common good and not for the good of one candidate or political.

Therefore, if you are unsure if an activity is prohibited, LSA R.S. 42:1382 provides that you may request an advisory opinion from the State Department of Civil Service as to whether or not the proposed activity is prohibited. The State Department of Civil Service is required to respond within 20 days of the receipt of the request.

Sincerely,

Adrienne T. Bordelon  
General Counsel