

## Election Activities of Individuals Associated with 501(c)(3) Organizations

*The prohibition on partisan political campaign activity does not apply to the activities of officers, directors, or employees acting in their individual capacity. Staff may work on political campaigns outside work hours, or using their available leave time. However, leaders and volunteers may not use the facilities, equipment, personnel, or other resources of the organization to provide support or oppose a candidate or campaign.*

Below are examples of instances when the actions of board members, officers, or employees can be seen as actions on behalf of the organization in a political campaign:

1. The director of an organization makes statements biased for or against candidates for public office during an event sponsored by the organization or in any of its publications.
2. An employee of an organization wears a political button at a public event or function when acting on behalf of the organization.
3. An employee gives the organization's mailing list to a candidate.
4. An organization permits a candidate to use the organization's office for a phone bank without charge.
5. A board of directors thanks an Executive Director for her work on behalf of a candidate.

An organization can help to protect itself from violating these laws by:

1. Requiring officers or employees acting as individuals engaged in partisan political activity to clearly state that they are acting in their individual capacity, not on behalf of the organization, and that any reference to their work for the organization is made only for identification purposes.
2. Notify employees of their limitation on use of their staff time and office facilities. Time sheets should reflect that an employee took leave to participate in partisan activity.
3. Disavowing any partisan actions of officials or employees that appear to be authorized by the organization, taking steps to ensure such actions are not repeated. Such a disavowal should be in writing and done in a timely manner.

Note: This handout provides general guidelines only, and is intended to serve as an overview. Because the application of law is fact-sensitive and context is critical, it should not be relied upon as legal advice. Organizations should consult with their attorney to receive guidance on special rules governing their conduct.