



# MARICOPA COUNTY INTERNAL POLICY

Policy Title: <b>SOLICITATION AND DISTRIBUTION OF LITERATURE</b>	Policy Number: A1512
	Current Adoption Date: 10-10-2018
	Current Implementation Date: 10-10-2018
Approved by: <b>BOARD OF SUPERVISORS</b>	Board Agenda Number: C-31-19-007-6-00
	Original Adoption Date: 07-25-2007

## I. PURPOSE

To outline requirements and prohibitions regarding solicitation, posting of notices, and the distribution of Literature in order to prevent conflicts of interest and interference with work.

## II. AUTHORITY

This policy is authorized by the Board of Supervisors pursuant to A.R.S. § 11-251.

## III. APPLICATION

This policy applies to all employees of Maricopa County appointed departments as well the Flood Control District of Maricopa County, the Maricopa County Library District, and the Maricopa County Stadium District (Special Districts). This Policy shall apply to employees of County elected offices unless the County elected official has implemented a similar policy specific to his or her respective office.

## IV. DEFINITIONS

- A. **Appointing Authority:** An elected official, the single administrative or executive head of a Department/Special District, or the designated representative authorized to act in this capacity.
- B. **Employee:** A person paid a wage, salary, or stipend in accordance with official County payroll entries. For purposes of this Policy, employee includes all classified, unclassified, temporary, and contract employees as well as volunteers.
- C. **Literature:** Materials such as signs, posters, pamphlets, and letters including, but not limited to, electronic or printed material and other promotional things.
- D. **Solicit:** To request time or resources for the benefit of an individual or group. Soliciting may involve Employees, non-employees, or groups engaging in direct sales, recruitment, placing Literature, and other activities to benefit an individual or group. These benefits may include tangible (e.g., buying, selling, or exchanging goods or services) and/or intangible benefits (e.g., joining organizations, agreeing with opinions or beliefs, or changing behavior).
- E. **Work Areas:** Areas where Employees perform their work tasks; excludes lobbies, employee break rooms, and restrooms, unless an employee is specifically assigned to perform work at that location.
- F. **Work Time:** Time when an employee is scheduled and expected to be engaged in performing work tasks. Work Time does not include periods when the employee is relieved of all duties for meal periods or supervisor-approved break times.

## V. POLICY

- A. **Allowable Solicitations:** Dissemination of Literature and oral information regarding the following organizations, programs, or activities is permissible and subject to the oversight of Appointing Authorities:
  1. Required Literature: All programs and postings required by local, state, or federal law.

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2. Programs that are developed and approved by the Maricopa County Board of Supervisors or its designee, or a Maricopa County elected official or designee (e.g., the Combined Charitable Campaign, E.A.S.E program, Library District community boards and community programs, employee benefit and wellness programs, and the 457(b) Savings Plan).
3. Employee Discounts: Offered from organizations with a contract or written agreement with the County or State of Arizona to provide goods, services, or discounts.
4. County Blood Drive Information
5. Training Programs: Approved by an Appointing Authority relating to an Employee's job duties or to maintain an Employee's work required professional license.
6. Non-Work Time: Employees who are not on Work Time, may Solicit and distribute Literature in public places such as sidewalks, open or public parking lots, or other facilities that are traditionally available for public use.
7. Constitutionally Protected Speech: Permitted within reasonable parameters of time, place, and manner.
8. Non-Work Areas: Employees may place Literature in County break rooms that are located in non-Work Areas subject to the following restrictions:
  - a) Appointing Authorities must grant permission before placing Literature in break rooms and shall grant approval to place Literature unless the content is contrary to law, County Merit Rules, or County policy. The Appointing Authority shall promptly notify the County Attorney's Office Civil Services Division of any concerns before denying permission.
  - b) Employees must place their name, the start date, and length of time the Literature will be placed in the break room on the Literature.
  - c) Employees may display Literature for a maximum of two (2) weeks unless their Appointing Authority grants an extension. This is to avoid break room clutter, to ensure the Literature is current, and to allow for a variety of Literature.  
  
Employees are responsible for removing Literature on or before the deadline. Failure to timely remove Literature may result in the Employee losing privileges under this policy.
  - d) The Literature cannot obstruct official County Literature or any Literature already posted.
  - e) By permitting Employees to place Literature in break rooms, the County has not confirmed the accuracy of the information and does not endorse or accept responsibility or liability for the views, opinions, or information stated in the Literature. Employees assume full and sole responsibility for any action taken based on information read or found in the Literature.

**B. Prohibited Solicitations:** Unless stated above:

1. Employees are prohibited from soliciting:
  - a) During their Work Time or the Work Time of the Employees to whom such activity is directed.
  - b) In Work Areas, hallways, lobbies, secured employee parking lots, or via any County owned or controlled technology resources.
2. Non-employees are prohibited from soliciting in the following areas:

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- a) Not open to the public including, but not limited to, employee break rooms, employee restrooms, secured employee parking lots, employee Work Areas, the County paycheck distribution system, the County's internal mailing system, and County owned or controlled technology resources.
- b) Open to public for a limited or designated purpose including, but not limited to, lobbies and hallways.

If a non-employee is engaged in unauthorized solicitation as prohibited by this Policy or law, it is the responsibility of management personnel to advise the non-employee to either terminate the activity or leave the County premises where such activity is prohibited. If the non-employee continues the prohibited conduct, security should be notified.

Revision History

Version	Revision Date	Description of Revision
1	07-25-2007	Initial version (C-31-08-001-6-00)
2	09-26-2012	Clarified what constitutes an authorized solicitation, removed access to County resources, and outlined approved solicitation in break rooms (C-49-13-020-6-00)
3	12-12-2012	Added Library District Community boards and programs (C-49-13-042-6-00)
4	10-10-2018	Simplified language without making any substantial policy change (C-31-19-007-6-00)