



Election Dos and Don'ts for 501(c)(3) Staff

While 501(c)(3) organizations are required by law to remain nonpartisan in their election activities, it is important to note that this prohibition does not apply to staff members of nonprofits acting in their personal capacity. **Nonprofit staff can be involved in political campaigns provided this takes place outside work hours, as long as they are not seen as representing the 501(c)(3) organization.** A 501(c)(3) organization may not contribute the facilities, equipment, personnel, or other resources of the organization to support or oppose a candidate or campaign.

Overall, when observing the following guidelines, there is a great deal nonprofit staff can do for candidates when not representing the organization.

- 1. Nonprofit staff cannot support political campaigns while at work**
Personal time is any time outside of normal work hours. When at work or attending functions representing the organization, nonprofit staff should not be wearing t-shirts or buttons supporting or opposing particular candidates or parties nor should there be posters, articles, or other materials in staff members' office spaces (including on doors) that can be perceived as supporting or opposing particular candidates or parties. If staff wishes to engage in partisan activities during work hours, they should take vacation or personal leave. Nonprofit staff should abstain from any partisan political activity while at work and should not use an organization's computers, supplies, telephones, email, fax or any other equipment or resources for any kind of partisan political activity. Nonprofit staff involved in partisan political activity should *clearly state* that they are acting in their personal capacity, and not on behalf of the organization.
- 2. Disassociate the organization from your personal political involvement**
Take corrective action if the organization is named in association with a political campaign. If the organization is listed on a partisan communication without its permission, it should take immediate action to have its name removed from the communication. Such a withdrawal request should be made in writing and in a timely matter. A copy of the request should be kept on file.
- 3. Board members and volunteers**
As representatives of nonprofit organizations, board members and volunteers are expected to follow the same rules described for staff above. Board members and volunteers are free to engage in partisan activities when they are not working for or representing the organization.
- 4. An organization can protect itself from violating these laws by taking the following measures:**
 - ✓ Make sure all employees, board members, and volunteers are aware of the restrictions on partisan activities.
 - ✓ Notify all employees of the limitations that apply on their use of staff time and office facilities for political activities.
 - ✓ Require all employees, board members, and volunteers to state clearly that they are acting in their individual capacity, not on behalf of the organization, when they engage in partisan political activity and that any reference of the organization is made for identification purposes only.

This document provides general guidance only and should not be relied upon as legal advice.