Hatch Act and Social Media

- **What is the Hatch Act?**
  - Hatch Act is a federal legislation that restricts the political activity of certain government employees.

- **Who is restricted by the Hatch Act?**
  - Applies to persons employed by state, county, or municipal executive agencies in connection with programs financed in whole or in part by federal funding
  - **State and Local examples:** Public Welfare, Housing, Transportation, and Law Enforcement
  - **Municipal Qualification:** if a municipal employee performs duties in connection with a program financed by federal money, it does not matter if the employee is paid from non-federal monies, the Act will still apply
  - **Does not apply to:**
    - Municipal Employees who do not work in connection with federally funded programs;
    - Individuals employed by an educational or research institution; and
    - Recognized religious, philanthropic, or cultural organizations
  - These employees will be covered by the Act even if they are on annual leave, sick leave, leave without pay, or administrative leave.

- **What General Activities are Prohibited?**
  - Using official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
  - Directly or indirectly coercing, attempting to coerce, commanding or advising a state or local employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes;
  - Running as a candidate for public office in a partisan election

- **What Social Media Activities are Prohibited?**
  - Creating a social media page in the employees official capacity and use the page to advocate for or against a political party, partisan political group, or partisan candidate (including “friending,” “liking,” or “following” those entities’ pages)
  - An agency’s account, like the official website would also be prohibited from including information or links concerning a political party, candidate, or partisan political office, or partisan political group
    - Includes prohibition of information regarding the President’s reelection campaign
  - Posting a news article about an agency official’s speech at a political fundraiser or rally for a partisan political candidate.
- **What General Activities are Allowed?**
  - Running as a candidate for public office in nonpartisan elections;
  - Holding elective office in political parties, clubs, and organizations;
  - Campaigning for candidates for public office in partisan and nonpartisan elections;
  - Contributing money to political organizations;
  - Attending and giving a speech at a political fundraiser, rally, or meeting

- **What Social Media Activities are Allowed?**
  - Filling in the “political views” field on your personal profile, which also has your official title listed
  - Advocating for or against a political party, partisan political group, or candidate for partisan public office in posts on a blog, Facebook, Twitter, or any other social media platform
    - Subject to limitations:
      - Employees are prohibited from the above while they are on duty or in the workplace;
      - Employees may not make reference to their official title while engaged in the above efforts;
      - Employees may not solicit, accept, or receive political contributions at any time; they also should not provide links to the contribution pages of any of the entities’ websites.
  - Advocate on their personal page for or against a political party, partisan political group, or candidate for partisan public office on their social media page even if they have “friends” or “followers” on those pages that are subordinate employees
    - ONLY IF it is directed to all “friends” or “followers” and not a specific group through a direct message, written on the friend’s wall, or using their Twitter handle
  - Become a “friend,” “like,” or “follow” the account of a political part, partisan political group, or partisan candidate
  - Continue to “friend,” “like,” or “follow” the official White House Twitter account or Facebook page after the President announces candidacy for reelection
  - Create a social media account using an alias; HOWEVER, the Act will apply to the employee on the alias page as well.

- **Sources**