



Montana University System

Office of the Commissioner of Higher Education

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MONTANA UNIVERSITY SYSTEM | COMMISSIONER'S DIRECTIVE

RE: Political Activity of Public Employees

EFFECTIVE DATE: December 12, 2012 | Amended March 21, 2024

These guidelines explain what political activities in the workplace are prohibited and what activities are permitted.

Prohibited activities:

Public officers and employees may not use public resources for campaign-related political activity. Public resources include the use of public time, facilities, equipment, state letterhead, supplies, personnel, or funds. § 2-2-122, MCA. A few narrow exceptions exist to this general rule. To inquire if one exists for a specific circumstance, please contact OCHE legal counsel.

An employer may not exhibit in the workplace handbills or placards containing any threat, promise, notice, or information intended to influence the political opinions or actions of the employer's employees. § 13-35-226, MCA.

A person may not coerce or require a public employee to support or oppose any political committee, candidate, or the passage of a ballot issue. § 13-35-226, MCA.

The state may not refuse employment or discriminate against a person in a term of employment because of the person's political beliefs. § 49-2-308, MCA.

A person may not give, offer, or promise anything of value, including employment or appointment to a public post, to induce a voter to vote for or against a candidate, political party ticket, or ballot issue. § 13-35-214, MCA.

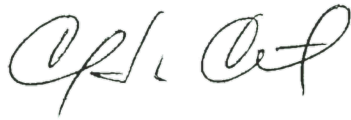
Permitted activities:

All public employees and officers have a First Amendment right to engage in campaign-related political activity. Public employees and officers can engage in any kind of political activity outside of work, so long as they don't engage in any of the prohibited activities listed above, like coercing public employees or issuing bribes. Employees may not engage in political activity while on the job, but an employee on a lunch break, for example, can express a personal preference for a candidate or ballot issue.

A public officer or employee may engage in political activity outside of work with an official title. For example, a public officer may sign a letter to the editor with his official title. 51 Op. Att’y Gen. No. 1 (Jan. 31, 2005).

Public officers and employees can discuss and explain the impact of passage or failure of a ballot issue on state or local government operations. § 2-2-122, MCA. For example, a public employee may discuss the negative and/or positive aspects of the measure on Montana University System or campus operations. We try to ensure complete accuracy in such communications.

You may discuss these guidelines with your employees at work or circulate these guidelines at work. Complying with and communicating about these guidelines is part of our job as responsible public employers.

A handwritten signature in black ink, appearing to read "Clayton T. Christian". The signature is fluid and cursive, with the first name being the most prominent.

Clayton T. Christian
Commissioner of Higher Education

Commissioner’s directives are official interpretations and guidance issued by the Commissioner of Higher Education; they remain in effect as system directives until withdrawn or revised by the Commissioner or superseded by action of the Board of Regents.