



## COUNTY OF SAN MATEO INTERDEPARTMENTAL CORRESPONDENCE

### ***CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION***

**To:** All County Officers and Employees  
**From:** John D. Nibbelin, County Attorney  
Stephen M. Wagstaffe, District Attorney  
**Subject:** Prohibited Political Activities  
**Date:** January 10, 2026

In view of the upcoming elections, we would like to remind you that the law places restrictions on the political activities of County officers and employees. These restrictions are set forth in the California Government Code, California Elections Code, [County Charter Section 512](#), County Ordinance Code Chapters 2.03 and 2.73, [County Administrative Memorandum C-5](#), and the County's policy on "Political Activities". The above-referenced County-specific documents are available on the Human Resources Department's [Political Activities Website](#).

In sum, the following specific restrictions apply to all County officers and employees, and a list of "Do's and Don'ts" is attached.

1. A County officer or employee may not engage in prohibited political activities during assigned hours of employment (this excludes designated lunch breaks, rest breaks, holidays, vacation, and leaves of absence) or on County premises that the County does not make available to the general public for political purposes (such as a public plaza or sidewalk). (Ordinance Code, §§ 2.73.010, 2.73.020(a)-(b); County Charter, § 512; Cal. Gov. Code, § 3207.) "Political Activity" means support or opposition to any candidate for elective office or any issue appearing on an election ballot. (Ordinance Code, § 2.73.020(c).)

**Example:** A County employee wishes to use their accrued vacation time (or other approved time-off) to volunteer on a full-time basis for a political campaign supporting a candidate in the week leading up to an election. This activity *does not violate* the prohibition on political activities because the employee is not engaging in political activity during assigned hours of employment.

**Example:** A County employee seeks endorsements for their candidacy in the hallway of their County department's office. This activity *violates* the prohibition on political activities because it is being conducted on County property not made available to the general public for political purposes.

Prohibited political activities include the following restrictions:

- a) County employees may not attend campaign functions or promote candidates or measures, including the circulation of initiative petitions, on County time. (County Policy on Political Activities.)
- b) A County officer or employee may not use County staff, services, funds, telephones, stationery, equipment, or supplies, including, but not limited to, copying machines, word processing, or intradepartmental mail, for political purposes, whether or not such activities occur during assigned hours of employment. (Ordinance Code, § 2.73.030(a); County Policy on Political Activities.)

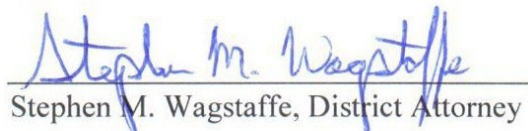
**Example:** A County employee while on their lunch hour uses their office copy machine to print copies of pamphlets in support of a measure on the ballot and offers to reimburse their department for the costs of the copies. The employee has misused County resources for political purposes, and the fact that the employee was on their lunch hour or offers to reimburse the County does not excuse this improper use of County resources.

- c) A County officer or employee may not distribute or post political literature other than regularly distributed or posted newsletters, the regular focus of which is not political. (Ordinance Code, § 2.73.030(b).)
- d) A County officer or employee may not wear political buttons, pins, or banners in instances where the officer's or employee's official duties require meeting with the public. (Ordinance Code, § 2.73.030(c).)
- e) A County officer or employee shall not participate in political activities of any kind while in uniform. (County Policy on Political Activities; Administrative Memo C-5; Government Code, § 3206.)

2. County officers and employees, at the direction of the Board of Supervisors, the County Manager, or the officer's/employee's respective Department Head or designee(s) and pursuant to the provisions of the Legislative Program Admin Memo (County Administrative Memorandum B-11), may continue to expend County resources and/or staff time to influence the California Legislature for County purposes. The Government Code, County Charter, Ordinance Code, County Policies, and County Administrative Memoranda do not prohibit this type of activity.



John D. Nibbelin, County Attorney



Stephen M. Wagstaffe, District Attorney

cc: Members, Board of Supervisors; Mike Callagy, County Executive

**DO'S AND DON'TS OF POLITICAL ACTIVITIES**  
**FOR OFFICIALS AND EMPLOYEES OF SAN MATEO COUNTY**

The following are examples of inappropriate and appropriate activities. This is not an exhaustive list.

**DON'T**

County officials and employees may not:

- Distribute campaign literature through the County's internal mail system.
- Place campaign literature on employee bulletin boards, on the County's website, or elsewhere on County government premises.
- Make public appearances speaking in favor of a ballot measure or candidate during compensated work hours.
- Make telephone calls about a campaign during compensated work hours.
- Walk precincts, draft campaign ads, or perform other campaign tasks during compensated work hours (nor may you assign subordinates to do the same).
- Add a link from the County website to a campaign website.
- Send campaign-related emails on County computers or using a County email address.
- Urge other County employees to vote for a measure or candidate during compensated work hours.
- Use County copy machines, scanners, telephones, fax machines, computers, stationery, etc. for campaign purposes.
- Distribute or post political literature other than regularly distributed or posted newsletters, the regular focus of which is not political.
- Wear campaign buttons, pins or banners in instances where official duties require meeting with the public.

**DO**

County officials and employees may:

- Work on a campaign during personal time, including lunch hours, coffee breaks, vacations, etc.
- Make a campaign contribution using personal funds.
- Attend a campaign fundraiser on personal time.
- At the direction of the proper County authority, continue expending County resources and staff time to influence the California Legislature for County (not personal) purposes in accordance with County policies regarding such matters.