

DEPARTMENT: HUMAN RESOURCES – EMPLOYEE CONDUCT	POLICY DESCRIPTION: POLITICAL ACTIVITIES
APPROVED:	REVIEWED:
REPLACES:	RETIRED:
ADOPTED:	REVISED: 12/04/2017
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SCOPE: All ARH facilities as well as all ARH employees.

PURPOSE: To ensure ARH complies with all applicable laws and regulations pertaining to its non-profit tax-exempt status.

DEFINITIONS:

1. Candidate for public office - an individual who offers themselves, or is proposed by others, as a contestant for an elected public office, whether such office is national, state or local.
2. Public office - while neither the Internal Revenue Code nor the Internal Revenue Service have defined public office, the following factors should be considered in determining whether an election is one for public office:
 - a. created by statute
 - b. continuing
 - c. not occasional or contractual
 - d. has a fixed term of office
 - e. requires an oath of office
3. Political Party - a voluntary association of persons formed and organized for the purpose of nominating or electing candidates for public office.

POLICY: It is the policy of Appalachian Regional Healthcare, Inc., (ARH) to refrain from engaging in activities, which may jeopardize the tax-exempt status of the organization, including lobbying, political activity and political contributions. Under no circumstances may an officer, employee, representative or other agent of ARH, acting in their capacity as such or on behalf of ARH, participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

PROCEDURE:

- I. Prohibited activities
 - A. ARH facilities shall not be used for meetings, conventions, rallies or any campaign activities that would further the interest of a political party or of a candidate or candidates for public office.
 - B. No individual may make any agreement to contribute any money, property, or service of any officer or employees at the expense of ARH

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to any political candidate, party, organization, committee or individual in violation of any applicable law.

- C. ARH, by and through its officers, employees, representatives or agents, may not endorse, either in writing or orally, a candidate for public office. ARH, by and through its officers, employees, representatives and agents, may not distribute partisan campaign literature, provide or solicit financial or other forms of support to or for candidates or political organizations, or establish political action committees (PACs). This would include any electronic communications, such as use of ARH e-mail or the ARH website.

II. Permitted activities

- A. Officers and employees may personally participate in, and contribute to, political organizations or campaigns, but they must do so as individuals, not as representatives of ARH. Personal funds must be utilized. Under no circumstances will personal campaign contributions be reimbursed by ARH.
- B. Political candidates may be invited to speak at ARH events. However, when a political candidate is invited, the following should occur:
1. when the candidate is introduced and in any communications concerning the candidate's attendance, the explicit statement that ARH does not support or oppose the candidate should be made
 2. no political fundraising should occur at the event
 3. a reasonable attempt to invite all legally qualified candidates for the office in question should be made
 4. questions for the candidate should be prepared and presented by an independent, non-partisan panel
 5. the topics covered by the candidates should cover a broad range of issues of interest to the public
 6. each candidate must be given an equal opportunity to present their views on the issues discussed, and

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7. the moderator should make no comments that imply approval or disapproval of any of the candidates
- C. When a candidate for political office is invited to speak at an ARH event in the capacity other than as a political candidate, the candidate must only speak in the other capacity and not as a candidate and no mention may be made of the individual's candidacy at the event. Further, all communications regarding the candidate's attendance at the event should clearly indicate the capacity in which the candidate is acting and should not mention the individual's candidacy.
 - D. An officer of ARH may endorse a candidate in their individual capacity only. Officials acting in their individual capacity may be identified as officials of the organization so long as they make it clear they are acting in their individual capacity, that they are not acting on behalf of ARH, and that their association with ARH is given for identification purposes. The following language would serve as a sufficient disclaimer: "ARH shown for identification purposes only, no endorsement by ARH is implied."
 - E. Where its experience may be helpful, ARH may publicly offer recommendations concerning legislation or regulations being considered. In addition, it may analyze and take public positions on issues that have a relationship to the operations of ARH when ARH's experience contributes to the understanding of such issues.

References: 26 U.S.C. Sec.501(c)(3); 26 C.F.R. 1.501(c)(3)(1)(c)(3)(iii)