



Ohio Administrative Code Rule 3337-42-550 Solicitation.

Effective: March 16, 2015

The version of this rule that includes live links to associated resources is online at

<http://www.ohio.edu/policy/42-550.html>

(A) Overview

This policy places certain restrictions on solicitation of employees (including student employees) and distribution of literature within the buildings and facilities of Ohio university campuses to ensure that university employees have the opportunity to perform their duties free from intrusions.

This policy does not apply to official, university-supported solicitations that are intended to address the university's broader mission to serve the community, such as the Ohio university foundation, united appeal, or red cross blood drives. This policy governs all facilities and property on the university's campuses or under the operating authority of the university.

No solicitation of employees or distribution of literature (electronic or hard copy) by employees or non-employees will be permitted within buildings on campus, unless the solicitation or distribution of literature is in accordance with the content, requirements, and restrictions of this policy.

(B) Solicitation or distribution by employees

(1) Soliciting by one employee of another employee, using any media form or means, for any purpose is prohibited during either employee's work time. Solicitation may occur in work areas during non-work times of the employees involved.

(2) An employee may distribute literature only in a non-work area and only if all employees involved are on non-work time.



(3) Use of the university internal campus mail system or campus electronic mail system by employees for solicitation purposes is prohibited.

(C) Leaves of absence to conduct an organization's business

Any requests by employees for leaves of absence in order to conduct an organization's business must be made in accordance with the normal university leave policies and shall be subject to the operational needs of the university as determined by the appropriate department head. (See Policy 41.128 and Policy 40.033.)

(D) Solicitation by non-employees and non-university organizations

(1) Any non-employee or organization who intends to physically solicit employees or distribute literature for any purpose must request permission, in writing, at least one business day prior to each proposed visit; the request should be submitted to

"Chief Human Resource Officer

Human Resources and Training Center

169 West Union Street

Ohio University

Athens, Ohio 45701"

or to the chief human resource officer's designee, stating the purpose of the proposed visit and the name of any person(s) who desire access to any campus of Ohio university.

(2) The chief human resource officer or the chief human resource officer's designee will attempt to locate an appropriate designated area or meeting space for use by the non-employee or organization submitting the request, and will then issue a permit designating the appropriate location and the date and time it may be used. In the event two or more requests for access to an appropriate designated



area or meeting space for the same or overlapping times have been received, the university will attempt to provide an alternate appropriate designated area or meeting space. In the event that no alternate designated area or meeting space is available, the university will grant access to the available designated area or meeting space on a rotating basis with equal time for its use. If the designated areas or meeting spaces are unavailable due to a prior reservation, then the university will immediately notify the requesting party of such conflict.

(3) An organization or non-employee may not physically or electronically distribute literature or solicit employees in any work area on either the solicited employees' work time or non-work time.

(4) Any solicitation and distribution of literature by any organization or non-employee shall be limited to the designated area(s) or meeting space(s), date(s), and time(s) pursuant to paragraph (D)(2) of this policy, except:

(a) employees may be solicited outside of buildings and facilities if they are on non-work time;

(b) an organization or non-employee may solicit or distribute literature in designated parking lots after notifying the chief human resource officer.

(c) University property, including university-owned vehicles, may not be used to post any signage for solicitation purposes.

(5) The use of the Ohio university internal campus mail system for solicitation purposes is prohibited, except for charitable solicitations that may be approved as defined under Chapter 1716. of the Revised Code (see Policy 42.001).

(6) Use of outdoor space on the Athens campus for "protest and other expression" must follow Policy 24.016.

(E) Bulletin board posting

(1) Employees of the university and non-employees may post notices, literature, or other appropriate information on employee bulletin boards designated as such by the university. If a notice contains



information about an on-campus solicitation by an organization, it must conform to the permission granted to the organization (in terms of designated area, time, and date) for such solicitation.

(2) Postings shall be no larger than 8.5 x 14 inches and shall not be posted in such a manner as to cover any other posted material.

(3) Material posted on any bulletin board must be dated from the first day of posting and may remain on the bulletin boards for a maximum of fourteen calendar days from the date of posting.

(4) No posted material shall contain derogatory remarks or personal attacks against any university employee. Such material shall constitute grounds for immediate cancellation of bulletin board posting privileges and shall be cause for discipline of university employees who post such materials. (See Policy 23.050.)

(5) Each planning unit head will delegate to his or her department heads the responsibility to monitor bulletin boards within their respective buildings.

(F) Disruptive conduct

(1) The university reserves the right to regulate any solicitation or distribution activities by any non-employee, organization, or employee that disrupts or interferes with the normal work activity of Ohio university employees.

(2) Any organization (on its own or through its employee supporters) or any non-employee violating any rule or policy contained herein shall be asked to leave the campus. Repeated violations shall be cause for banning an organization or non-employee from the campus. (See Policy 02.002.)

(3) Any employee who (in his or her personal capacity or acting as an agent for any organization or non-employee) violates any rule or policy contained herein shall be subject to corrective action, up to and including termination of employment.

(G) Procurement and cost of facilities, equipment, and miscellaneous services for purposes of solicitation



An employee, non-employee, or any organization shall be subject to the policies and procedures of Ohio university and individual departments within the university with regard to procurement, and the normal cost thereof, of university facilities, equipment, and miscellaneous services (e.g. - labor costs; rental fees and charges; food; utilities; etc.) for purposes of solicitation. Upon procurement, the responsibility for any damages or misuse of facilities or equipment shall be the sole responsibility of the employee, non-employee, or organization. (See Policy 24.005, Policy 24.016, and Policy 01.025.)

(H) Usual and normal business

All solicitation must be conducted so that campus pedestrians and automobile traffic are unobstructed, so that members of the university community are able to proceed with their normal activities.

(I) Definitions

(1) "Charitable contribution" means a pledge or grant of anything of value to a charitable organization, when the value of the pledge or grant exceeds the value of anything received in return.

(2) "Charitable Organization" means an entity within the definition of section 1716.01 of the Revised Code.

(3) "Designated area or meeting space" means a building or facility or room to be determined by the Chief Human Resource Officer or his or her designee.

(4) "Designated parking lot" means an area to be determined by the chief human resource officer or his or her designee where employees or visitors park motor vehicles.

(5) "Designee" means a person designated by the chief human resource officer to administer and regulate solicitation pursuant to this policy or the person identified to regulate other relevant policies regarding solicitation (e.g., solicitation at Baker center, Templeton-Blackburn alumni memorial auditorium, or the West Portico of Templeton-Blackburn alumni memorial auditorium).



(6) "Distributing literature" means the dissemination or posting physically or electronically of any written or graphic material, including flyers, notices, or any other written information or forms.

(7) "Employee bulletin board" means any non-student bulletin board that is not under glass and is not specifically designated for a particular use.

(8) "Non-employee" means any person not employed at Ohio university or any person not in active work status.

(9) "Non-work area" means areas to be determined by the chief human resource officer or his or her designee and generally includes lobbies, employee lunch rooms, public areas, or designated parking lots.

(10) "Non-work time" means approved vacation, approved leaves, scheduled lunch breaks, scheduled rest breaks, and before and after scheduled work hours.

(11) "Organization" means a body of persons established for a specific purpose.

(12) "Soliciting" means any oral, written, or electronic advocacy of an organization or cause, or request for contribution or support thereof; any activity conducted for the purpose of advertising, promoting, or selling any product or service, or encouraging membership in any group, association or organization.

(13) "Work area" means areas to be determined by the chief human resource officer or his or her designee, where employees perform their official duties, including Ohio university buildings, work stations, offices, conference rooms, and corridors leading directly thereto that are used as an integral part of performing work. In the case of faculty, work area means the assigned offices and other areas in which the faculty conduct teaching, research, and service responsibilities in keeping with their assigned duties.

(14) "Work time" means the time when employees' duties require that they be engaged in work tasks as determined by the university. In the case of faculty, work time means the time reasonably



expected to be used conducting the business of the university as required by their assigned duties.

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