

# City of Racine



## Election Official Handbook

2023



# City of Racine Election Official Handbook



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## **SECTION 1 INTRODUCTION**

### **1.1 PURPOSE**

The purpose of these policies is to reduce misunderstanding, promote uniformity of policy throughout the City, and provide Election Officials (EOs) with a clear outline of expectations and responsibilities. The City Clerk expects all EOs to demonstrate professional, competent and reasonable behavior, and to continually serve, both on-duty and off-duty, as positive examples of the high quality personnel affiliated with the City and consistent with the high expectations of the public.

### **1.2 COMPLIANCE WITH POLICIES, RULES AND STANDARDS OF CONDUCT**

Compliance with the policies, rules and general expectations of conduct is important in order to fulfill these objectives. Failure to comply with the policies spelled out herein is taken seriously by the City. Violations of these policies, rules, and general expectations of conduct can subject an EO to discipline, up to and including discharge. By signing this handbook you agree to follow all directions provided by the deputy chief election official, chief election official, deputy city clerk, city clerk, and all laws as provided by WI State Statutes.

### **1.3 APPLICABILITY**

This handbook applies to all Election Officials of the City of Racine, including, but not limited to, Election Day poll workers and greeters, in-person early voting Election Officials, Special Voting Deputies, and full-time City employees serving in an elections capacity. All Election Officials who are not part-time or full-time City employees are considered vendors, and will be subject to the 1099 tax code.

### **1.4 DISTRIBUTION**

This Election Official Handbook should be distributed to every current and future City Election Official. City EOs should maintain a current copy of this booklet and become familiar with its contents. EOs shall be required to individually acknowledge receipt of a copy of this handbook by signing and dating the Acknowledgment of Receipt form before serving as an election official.



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## **SECTION 2 ELECTION OFFICIAL (EO) POLICIES AND PROCEDURES**

### **2.1 WI EO ELIGIBILITY REQUIREMENTS**

**Qualifications and Procedure.** All officials appointed under this section shall be able to read and write the English language, be capable, and be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. An individual holding a local public office, as defined in s. 19.42 (7w), may be appointed to serve as an election official under this section without having to vacate the local public office. In 1st class cities, they may hold no public office other than notary public. Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. Excluding the inspector who may be appointed under sub. (1) (b), the party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. Whenever 2 or more inspectors are required to perform a function within a polling place and both parties that are entitled to submit nominees have done so, the chief inspector shall assign, insofar as practicable, an equal number of inspectors from the nominees of each party. **[WI STATUTE 7.30(2)(a)]**

### **2.2 SERVICE AS AN ELECTION OFFICIAL**

Service as an election official under this chapter shall be mandatory upon all individuals appointed, during the full 2-year term, after which they shall be exempt from further service as an election official, under this chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant exemptions from service at any time. **(WI STATUTE 7.33)**

#### **“Special note regarding election inspector appointments:**

It is the opinion of the Commission that election inspectors may not serve at elections where they, their spouse, or immediate family member is a candidate on the ballot or under other circumstances where a candidate’s success or failure to win election would affect the election inspector financially.” - **Wisconsin Election Commission** <https://elections.wi.gov/poll-workers-observers/working-polls#4257225834-114743501>

The City and Election Officials shall adhere to the opinion of the Commission.



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### 2.3 EQUAL EMPLOYMENT OPPORTUNITY

The City of Racine is an Equal Opportunity/Affirmative Action employer functioning under an affirmative Action program. It is and will continue to be the policy of the City that there shall be no discrimination against any employee or applicant for employment (including those working as election officials in a “vendor” capacity) because of age, sex, race, color, veteran’s status, disabled veteran’s status, religion, disability or disabilities, national origin, marital status, sexual orientation, familial status, lawful source of income, or economic status, or any other protected status. This policy includes, but is not limited to, the following: recruitment and employment, promotion, demotion, transfer, compensation, selection for training including apprenticeship, layoff, termination, and any other coverage that may apply. This policy is consistent with the requirements and objectives as set forth in City Ordinance No. 62.27. Also, it affirms the City’s commitment to continue to implement all State and Federal laws, executive orders, rules, regulations, and policies that apply to Equal Employment Opportunity/Affirmative Action, as set out in Title VII of the Civil Rights Act of 1964 and other applicable law.

Supervisors and managers shall ensure that the provisions of this policy are met. It is also the duty of every employee to help create a job environment that promotes equal opportunity. Any incident or situation that is believed to violate this policy should be brought to the attention of the City’s Affirmative Action Officer. Anyone found to have engaged in any violation of this policy, or to have retaliated against anyone for reporting discrimination or for cooperating with an investigation, will be subject to disciplinary action, up to and including termination.

### 2.4 REASONABLE ACCOMMODATION POLICIES

The City of Racine is committed to complying with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and State law. The City will make reasonable accommodation wherever necessary for all Election Officials or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on the City.



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### **SECTION 3      ELECTION OFFICIAL RULES OF CONDUCT**

The City of Racine has established a certain number of rules, which it has and shall add to over time, to govern conduct while at work. All those working in the City of Racine as an Election Official agree to adhere to the laws provided by WI State Statutes. Any Election Official who violates any City policy, procedure, rule, or regulation, whether written or unwritten, shall be subject to disciplinary action which may include verbal warnings or termination. The nature of the discipline will depend upon the nature and severity of the violation and the surrounding circumstances.

The following are rules of conduct Election Officials are expected to adhere to in the course of their working relationship with the City of Racine. These rules shall be enforced by the Chief and/or Deputy Chief Election Official at each polling location, and have the authority to dismiss any Election Official for failure to adhere to City policy. The City Clerk shall have final determination on all disciplinary action up to and including dismissal.

The chain of command during any election activity will be as follows:

- Deputy Election Chief
- Chief Election Official
- City Clerk's Office full time employees
- Deputy City Clerk
- City Clerk

#### **3.1 PROHIBITED ACTIVITY**

Rules of conduct are not for the purpose of restricting the rights and activities of Election Officials, but are intended to help Election Officials by defining and protecting the rights and safety of all persons. EOs of the City of Racine are expected to conduct themselves in a courteous and efficient manner toward the public and their fellow EOs.

The following is a partial list of prohibited activity which may result in disciplinary action ranging from oral reprimands to immediate discharge, depending upon the specific form of conduct and/or number of infractions. This list is not all-inclusive and Election Officials may be terminated for other reasons.

1. Threaten, intimidate, interfere, or abuse (physically or verbally) others.



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2. Sexually harass or intimidate others.
3. Lie, cheat, steal, or give false or incomplete information; or otherwise misrepresent his or her authority in the performance of assigned tasks.
4. Insubordination, including disobedience or failure to carry out assignments or instructions.
5. Unauthorized use, possession, or removal of City property and/or equipment.
6. Failure to report for training or a scheduled shift.
7. Inattention to duties including sleeping, loafing, or wasting time during working hours.
8. Restricting production or interfering in the work of others.
9. Failure to perform duties at a reasonable level of productivity.
10. Fighting, gambling, horseplay, practical jokes, or indulging in other activity which create a disturbance or hazard.
11. The use of profane, obscene, or abusive language or actions.
12. Reporting for duty while under the influence of alcoholic beverages or non-prescribed drugs.
13. Possession or consumption of alcoholic beverages or non-prescribed drugs during working hours or on City property.
14. Unauthorized possession of weapons prohibited by law.
15. Negligence in performing assigned tasks.
16. Leaving the job without permission during regularly assigned working hours including before specified quitting time.



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17. Theft or attempt to steal City of Racine property or money, sabotage or destruction of equipment or property, fraud or embezzlement, will be subject to immediate and appropriate disciplinary action including termination. The City shall be the sole judge of sufficiency of evidence. The foregoing includes the submission of fraudulent claims for reimbursement under the City's mileage reimbursement policy.
18. Falsification or misrepresentation of City records.
19. Failure to comply with health, safety, and sanitation rules and regulations.
20. Off-duty misconduct of a serious/criminal nature where a nexus exists between the off-duty conduct and the Election Official's position with the City.
21. Spreading false or misleading information.
22. Creating distrust in the election process.
23. Committing election fraud.
24. Failure to report election fraud to the proper authority.
25. Failure to follow the direction of Chief Election Official or City Hall staff.
26. Failure to remain non-partisan.
27. Failure to complete duties as assigned.

At the polling location all election officials will abide by the ruling of the deputy and chief election officials. If concerns about the deputy or chief election official arise, all reports of fraud or suspicious activity should be sent to the City Clerk's office.

### 3.2 DRESS AND PERSONAL APPEARANCE

- A. Dress Code – Projecting a professional appearance to citizens and the public at-large is important to the image of the City of Racine. As representatives of the City, all Election Officials are expected to dress in a professional manner that also assures their safety and ability to perform their jobs. Dress and grooming should be appropriate to his or her work





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situation. This includes refraining from wearing inappropriate attire, such as political messages and symbols, to the polling place. The City has therefore established a standard for Election Official dress, grooming, and personal hygiene to ensure a productive and safe work environment as well as to maintain a City-wide professional image. The City has the exclusive right to determine and establish standards of dress, grooming, and personal hygiene dictated by need, exposure to the public, safety, modesty, and common sense in the polling place and at other activities that are directly related to the City of Racine. Casual wear is acceptable at the polling place.

For example, blue jeans are allowed as casual attire provided they are neat, clean, and not torn or shredded. However, the following casual attire is not permitted: beach sandals, slippers, bare feet, "flip flops," or other dangerous footwear; anything with spandex; flannel pants and pajamas; mini-skirts, shorts, skirts, or dresses shorter than six inches above the knee; strapless, off-the-shoulder, low-cut, sheer, backless, midriff-revealing tops, or tops with plunging necklines; tube tops, muscle shirts, and clothing that reveals undergarments or the overt display of cleavage; and shirts with inappropriate sayings/pictures. Religious and non-political headwear is permitted. All offensive tattoos must be covered at all times.

### 3.3 USE OF CITY EQUIPMENT POLICY

The City of Racine provides any supplies, equipment and materials necessary for Election Officials to perform their job. These items are to be used solely for City related business. Election Officials will not:

1. Obtain, use or divert city property, including records, for personal use and/or benefit;
2. Materially alter or destroy City property or records without proper authorization; and,
3. Borrow or use City property, unless for City work related use. Any removal of City property for personal non-work related use is not permissible.

Election Officials are expected to exercise care in the use of City equipment and property and use such property only for authorized purposes. Loss, damages or theft of City property should be reported to supervisors immediately. Negligence in the care and use of City property may be considered grounds for discipline, up to and including discharge.



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### 3.4 BADGER BOOK AND ICE MACHINE POLICY

This policy establishes the requirements and responsibilities of Election Officials who use the City's Badger Books and Ice Machines. Election Officials may be authorized to use Badger Books and/or ICE Machines during Pre-Test, Public Test, and/or on Election Day, and are required to follow the City's policies regarding their use.

#### *Badger Book Policy and Procedure Requirements*

1. Never attempt to connect a Badger Book to the internet. Badger Books are to be connected to the EPollBook internal network only. The WiFi connection should read "No internet – Secured."
2. Never attempt to delete or modify files or data on Badger Books.

#### *ICE Machine Policy and Procedure Requirements*

1. Never attempt to reset the machine.
2. Follow all instructions in the manual.

### 3.5 COMPUTER SOFTWARE AND HARDWARE POLICY

This policy establishes the requirements and responsibilities of the Election Officials who use the City's computer systems. Election Officials may be authorized to use laptops and/or tablets during early absentee voting hours, or on Election Day, and are required to follow the City's policies regarding their use.

#### *Computer Use Policy and Procedure Requirements:*

1. Computer equipment, including software, hardware, and related services, owned or leased by the City must be safeguarded from damage, abuse, loss and degradation due to inappropriate use.
2. No person shall load computer games, screen savers or background software onto City equipment.
3. Because of the risk of computer viruses, defective programs, and corrupted data, no person shall use a computer file from a non-City source without first scanning the file for viruses, or install or copy personally owned or licensed files or programs to City owned computer equipment beyond the Election Official's permission level without the approval of the City Clerk.



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4. No Election Official shall engage in unauthorized personal business during work time or unauthorized or improper use of City property or equipment. Any such action may result in discipline up to and including dismissal. Use of computer equipment for purposes other than City business during work time, except as otherwise authorized by City policy, shall be considered an offense subject to such discipline. This includes, but is not limited to, the use of computers and related devices, and on-line services, including the Internet, etc.
5. All computer passwords used at the City must remain secret and no person shall give his or her password to any other person for any reason.
6. All City hardware shall be installed by an authorized Information System Election Official or designated vendor. No person shall take apart, install, relocate or remove any hardware on any computer or peripheral device for any reason, except as specifically authorized to do so.

### 3.6 CONFIDENTIALITY

Because of an Election Official's responsibilities they may have access to confidential City, resident, or other sensitive information that is not releasable to the public. This may include information such as date of birth and criminal disposition. This sensitive information cannot be disclosed to any personnel who do not have a legitimate business need to know such information. Election Officials are responsible for protecting the confidentiality of this information.

### 3.7 POLITICAL ACTIVITY

Election Officials will not be discriminated in favor or against because of political contribution, permitted political activity or neutrality. Election Officials may not engage in any form of political activity on-the-job. Election Officials may not engage in political activity off-the-job to such an extent that it interferes with doing his/her job in a non-partisan fashion.



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## **SECTION 4 ETHICS POLICY**

*Sections 2-576 to 2-585, City of Racine Municipal Code*

### A. Policy (Sec. 2-577):

The purpose of this code is to establish guidelines for ethical standards of conduct for all city officials and Election Officials by setting forth those acts or actions which are incompatible with the best interests of the city and by requiring such officials and Election Officials to disclose personal interests, financial or otherwise, in matters affecting the city.

If an Election Official believes there may be a conflict they should reach out to the Clerk's office for a determination.

### B. Definitions (Sec. 2-578):

The following definitions shall be applicable in this code:

- a. *Anything of value* means any money or property, favor, gift, service, payment, advance, forbearance, loan or promise of future employment, including, but not limited to, remuneration, tickets, passes, lodging, travel, recreational expenses and admission offered and provided by persons doing business or interested in doing business with the city. "Anything of value" does not include compensation and expenses paid by the City of Racine, fees and expenses which are permitted and reported under Wis. Stats. §19.56, political contributions which are reported under chapter 11 of the state statutes, or hospitality extended for a purpose unrelated to public business by a person other than an organization.
- b. *Associated* (when used with reference to an organization) includes any organization in which an individual or a member of their immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least ten percent of the outstanding equity or of which an individual or member of their immediate family is an authorized representative or agent.
- c. *Board* means the board of ethics created by this code of ethics ordinance.
- d. *Business* means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.
- e. *Candidate for elective office* means any person who files nomination papers and a declaration under Wis. Stats. § 8.10 for the purpose of appearing on the ballot for election to an office in



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the City of Racine or any person nominated for a city office in an election through the write-in process and who files a declaration pursuant to Wis. Stats. § 8.10.

- f. *Confidential information* means written material or oral information related to city government, which is not otherwise subject to the public records law and which is expressly designated or marked as confidential.
- g. *Conflict of interest* means a public official's act or failure to act in the discharge of his/her official duties which could reasonably be expected to produce or assist in producing a substantial economic or personal benefit for such official, his/her family or an organization with which he/she is associated.
- h. *Economic interest* means any interest that will yield directly or indirectly a monetary or other material benefit to the public official or to any person employing or retaining the services of the public official, or any member of the family of said public official, except as permitted by Wis. Stats. § 946.13.
- i. *Financial interest* means any interest which would yield, directly or indirectly, a monetary or other material benefit to the public official or his/her spouse or to any person employing or retaining the services of the public official or his/her spouse.
- j. *Gift* means the payment or receipt of anything of value without valuable consideration.
- k. *Immediate family* means any individual related to a public official as spouse or legal dependent for federal income tax purposes.
- l. *Income* means the meaning given under the Federal Internal Revenue Code.
- m. *Incompatibility* means a conflict between one's official responsibilities and personal or economic interest which would prevent the public official from the complete and proper discharge of his/her official duties.
- n. *Organization* means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual, body politic or charitable entity.
- o. *Person* means any natural person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, joint venture, trust, or other legal entity recognized as such by the laws of the state.
- p. *Privileged information* means information obtained under government authority which has not become a part of the body of public information.



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- q. *Public official* means any person holding an elected city office and candidates for elected city office, or any person holding an appointed city office, including all city department heads, administrative managers, all city Election Officials, and all citizens appointed by the mayor or common council to advisory boards, or commissions, and elected officials, and appointed members of committees and panels who are not elected.
- r. *Statement of economic interest* means the factual statement filed pursuant to the provision of this chapter which contains the information set forth in Section 2-579.
- s. *Valuable and sufficient consideration* means payment or compensation of an amount equivalent to the actual value of any item received. If the actual value cannot be determined, payment or compensation of a reasonable value is acceptable.

### C. Prohibited conduct (Sec. 2-581):

- a. *Violation of work rules.* Election Officials shall adhere to the rules of work and performance standards established for their positions. Officials and Election Officials shall not exceed their authority or breach the law or ask others to do so. They shall cooperate with public officials and Election Officials from other governmental bodies, agencies, or jurisdictions unless prohibited by law from doing so. They shall not disclose confidential information or privileged information gained in the course of, or by reason of his/her official position or official activities.
- b. *Use of office for private gain.* No Election Official may use their public position or office to obtain financial gain or anything of substantial value for the private benefit of themselves or their immediate family, or for an organization with which they are associated. This includes the acceptance of free or discounted admissions to athletic or other entertainment events. A local public official is not prohibited from using the title or prestige of their office to obtain campaign contributions that are permitted and reported as required by Wis. Stats. ch. 11.
- c. *Offering or receiving anything of value.* No person may offer or give to an Election Official, directly or indirectly, and no public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the official.
- d. *Bribery.* Public officials and Election Officials are prohibited from accepting any money, property or other personal advantage they are not authorized to receive by anyone who promises



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this with the intention of influencing the public official or Election Officials's conduct regarding any matter in which law is pending.

e. *Misconduct in office.* Public officials and Election Officials are prohibited from:

f. Intentionally failing or refusing to perform a known mandatory, nondiscretionary, ministerial duty of their office or employment within the time or in the manner required by law.

g. Performing an act knowingly in excess of their lawful authority or one in which they know they are forbidden by law to do in their official capacity.

h. Whether by act of commission or omission, exercising a discretionary power in a manner inconsistent with the duties of their office or employment or the rights of others and with intention to obtain a dishonest advantage for themselves or another.

i. Intentionally falsifying an account, record book, return, certificate, report or statement in the officer or Election Official's official capacity.