



Policy: Non-Solicitation	Policy No: I-6.18
Policy Owner(s): Human Resources	Original Date: September 22, 2021
Last Revised Date: 11/8/2021	Approved Date: 11/15/2021

- I. **POLICY:** John Carroll University (the “University”) expects its employees to use their designated [Work Time](#) to complete their work tasks. Similarly, University employees should use the University’s property only for completion of their University work.

Employees may not [Solicit](#) or [Distribute](#) (as defined in this policy) printed or written literature or advertising materials during [Work Time](#) in [Work Areas](#), but may do so during non-work time only in non-work areas.

This policy applies regardless of the format of the solicitation or distribution, and thus includes but is not limited to physical and digital posting, handbilling, email and letters, chalking, order forms, sign-up sheets, and verbal or written recruitment.

Employees may not use University property or University resources for the purposes of solicitation or distribution of literature for events or organizations not expressly authorized by the University. University financial or physical resources, equipment, or property may not be used for solicitation or distribution purposes, regardless of whether the employee is on [Work Time](#) or not.

- II. **PURPOSE:** The University is best able to achieve its goals and support its students and community when University employees use their [Work Time](#) to complete their University work. This policy seeks to ensure that employees are able to perform that work without interruption.

This policy is not intended to infringe upon the rights of members of the University community as individuals to freely express and exchange views and to associate with others. It does not pertain to the speech or academic freedom of faculty members in the classroom, or to activities that advance the classroom experience in service to the learning goals for the class, the academic program, or other relevant pedagogical reasons.

This policy does not infringe on the rights of University employees to engage in concerted activity otherwise protected by law. This policy does not affect what University employees choose to do in their non-work time in

non-work areas.

Furthermore, this policy is not intended to dissuade University employees from engaging in meaningful charitable work, for which many employees are currently involved and encouraged to participate, consistent with the University's mission. The University recognizes and supports employees' involvement with [Charitable Organizations](#) and community engagement. However, employees and the University must ensure that such activities do not interfere with the employees' University work. To that end, this policy makes limited exemptions for charitable solicitation and for University-authorized events and organizations.

III. **SCOPE:** All John Carroll University employees.

IV. **DEFINITIONS:**

Charitable Organization: an organization with Internal Revenue Code 501(c)(3) status that is organized and operated exclusively for religious, charitable, scientific, literary, educational or other specified purposes by the Internal Revenue Service.

Distribute: To pass out or otherwise make available (by any means including but not limited to in person, in writing, or through digital means) information, recruitment materials, or sales or services materials to others.

Solicit: To ask another person (by any means including but not limited to in person, in writing, or through digital means) for a signature, donation, or vote, or to encourage the person to join or refrain from joining an interest group or to apply for a job. A "solicitation" also includes selling or seeking to buy products or services.

Work Area: An area on the University's property that is predominantly used for work, and thus includes spaces like offices and conference rooms, but does not include parking lots or non-work recreation areas.

Work Time: Time during which any employee is scheduled to perform or is performing work on behalf of the University. It includes both the working time of the employee who is soliciting or distributing, as well as the working time of the employee at whom such activity is directed. It does not include lunch or other authorized breaks.

V. **PROCEDURES:**

A. Responsibilities. Every University employee must review this policy and comply with its provisions. It is the responsibility of supervisors to be aware of this policy and ensure compliance within their departments or areas.

B. Property and Resources. The University's financial or physical resources or property may not be used for any solicitation or distribution activity that is not sponsored by the University. Property and resources include, but are not limited to, electronic mail, voicemail, facsimile systems, printers, ink, paper, bulletin boards, databases, websites, and directories, as well as employee time and physical work spaces.

C. Exemptions. The following types of solicitation and distribution are expressly exempt from this policy and are allowed during [Work Time](#) and in [Work Areas](#):

1. Solicitations or distributions related to authorized University events and organizations.
2. Distribution of purely informational material related to [Charitable Organizations](#) related to the mission or services of the University or of that department. For example, the Title IX Office may provide an informational brochure regarding services to individuals who are in need;
3. Solicitations for donations to [Charitable Organizations](#) if the donation materials are placed in common areas where interested employees can elect to view them, if the divisional vice president or supervisor authorizes the solicitation materials to be placed in that area.

D. Obtaining University Authorization for an Exempt Activity. If a University employee believes an organization or event is either authorized by the University or categorized as a [Charitable Organization](#) and thus exempt from this policy as provided in Section C above, the employee should confirm this with their departmental head or divisional vice president prior to any distribution or solicitation of related materials or information. If the organization or event is not authorized by the University, but the employee believes it should be, the employee must obtain prior written authorization from their department head or divisional vice president before commencing the solicitation or distribution activity.

E. Corrective Action. Any employee found to be in violation of this policy may be subject to appropriate educational or corrective action, consistent with University policies.

VI. CROSS REFERENCE:

- A. Outside Employment & Activities Policy ([link](#))
- B. Conflict of Interest Policy ([link](#))
- C. Student Protest & Rally Policy ([link](#))
- D. Speakers and Events Policy ([link](#))
- E. Posting Policy ([link](#))

F. Political Campaign Activity Policy ([link](#))