



<b>Policy Name:</b>	Solicitation and Distribution Policy		
<b>Associated Forms:</b>	N/A	<b>Policy Number:</b>	2022-18
<b>Reviewed:</b>	Non-Academic Policy Committee	<b>Approved:</b>	September 28, 2022
<b>Approval Authority:</b>	President <i>Timothy L. Hall</i>	<b>Adopted:</b>	October 5, 2022
<b>Responsible Executive:</b>	Vice President of Finance	<b>Revised:</b>	2007
<b>Responsible Office:</b>	Office of Human Resources	<b>Contact:</b>	Executive Director of Human Resources

## **I. Policy Statement**

It is the policy of Mercy University to prohibit persons not employed by Mercy University to solicit or distribute literature on campus at any time for any purpose.

The University has also established rules to govern employee solicitation and distribution of written materials, so that the University can maintain and promote a safe and efficient workplace and minimize non-work-related activities that could interfere with the University's daily operations.

This policy is not intended to restrict communications or actions protected or required by state or federal law. Union employees should refer to their collective bargaining agreements (CBA) regarding the use of bulletin boards for union business. If there is any conflict between the terms of this policy and the CBA, the CBA will take precedence.

## **II. Rules**

Employees may not:

- Solicit other employees or students during working time
- Distribute literature during working time
- Distribute literature at any time in working areas
- Use University resources such as telephones, computers, smartphones, tablets, email systems, and intranets to solicit other employees, or engage in other activities proscribed by the University's *Acceptable Use of University and Network Resources Policy*
- Use University-owned property such as scanners, printers, copy machines to produce literature or inter-departmental mail, mailboxes, working area bulletin boards to distribute literature

The sole exceptions to this policy are by union employees pursuant to their respective CBA, for University-related solicitations and distributions, or those related to charitable activities approved by Mercy University's Vice President of Operations and Facilities.

## **III. Definitions**

- **Solicitation** includes, but is not limited to, approaching someone in person or through employer-owned property such as computers, smartphones, email systems, and intranets for any of the following purposes:
  - Offering anything for sale
  - Asking for donations
  - Collecting funds or pledges

- Seeking to promote, encourage or discourage participation in or support for any organization, activity or event, or membership in any organization
- Distributing or delivering membership cards or applications for any organization
- **Distribution** includes, but is not limited to, disseminating or delivering in-person or through University-owned property such as bulletin boards, computers, smartphones, tablets, emails, and intranets any literature or other materials including circulars, notices, papers, leaflets or other printed, written or electronic matter (except that distributing or delivering membership cards or applications for any organization is considered solicitation and not distribution).
- **Working time** includes any time in which either the person doing the solicitation (or distribution) or the person being solicited (or to whom non-business literature is being distributed) is engaged in or required to be performing work tasks. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and mealtimes.
- **Working areas** include areas controlled by Mercy University where employees are performing work, excluding, for example, cafeterias, break rooms, and parking lots.

#### **IV. Administration of this Policy**

The Facilities Department is responsible for the administration of this policy. If you have any questions regarding this policy, please contact the Director of Facilities.

#### **V. Discipline**

Employees who violate any provision of this policy may be subject to discipline, up to and including termination of employment.