

CHAPTER: 100

Agency Administration/Management

DEPARTMENT ORDER:

111 – Solicitation

OFFICE OF PRIMARY
RESPONSIBILITY:

DIR

Arizona Department of Corrections

Department Order Manual

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Charles L. Ryan, Director

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PURPOSE

This Department Order establishes criteria for allowable solicitation on Department property, identifies prohibitions and establishes procedures for request and approval.

PROCEDURES

1.0 GENERAL REQUIREMENTS AND PROHIBITIONS

- 1.1 The distributing of handbills or advertising in buildings or on grounds is prohibited, in accordance with Arizona Administrative Code (A.A.C.), Article 3. Solicitation.
- 1.2 Employees, volunteers, contractors, subcontractors, visitors or any person entering the work areas shall not:
 - 1.2.1 Conduct solicitations without the express, advance written approval of agency management, the Director, or the Director of the Department of Administration (DOA).
 - 1.2.2 Sell, exchange or give personal items, cosmetics, toiletries, confectioneries, kitchenware or other items.
 - 1.2.3 Conduct advertising of any kind except in designated areas or on designated bulletin boards.
- 1.3 Employees, volunteers, contractors, subcontractors, visitors or any person entering the work areas shall not:
 - 1.3.1 Use any state materials, supplies, or equipment or other resources, such as payroll stuffing or interoffice mail, for solicitation purposes.
 - 1.3.2 Post or distribute obscene, sexually harassing or libelous materials.
 - 1.3.3 Conduct lotteries, sports pools or similar activities.
- 1.4 Solicitation shall be conducted in a manner which does not interfere with the work of any public employee, with the passage in or out of a public building or with another approved solicitation activity that is scheduled to be conducted at the same time and location as the proposed activity.
- 1.5 For solicitation requests concerning matters other than those listed in sections 2.0 and 3.0, the appropriate agency management staff member shall forward the request and an attached recommendation for approval or disapproval to the DOA Director within three work days of receipt.
- 1.6 Extensions of solicitation activity may be requested by submitting a new application for the extended time period.
- 1.7 Solicitations shall not take place during work hours, except as set forth in this Department Order.

2.0 SOLICITATION WITHIN AN INSTITUTION, UNIT, FACILITY OR BUREAU

- 2.1 Employees shall make a request to solicit by submitting a memo to their supervisor for the following activities:
 - 2.1.1 Social solicitations including, but not limited to, donations for farewell acknowledgments, birthday gifts and bereavement memorials.
 - 2.1.2 Activities directed toward organizing employee participation in sports or recreational activities sanctioned, sponsored or otherwise representative of the institution, facility or bureau.
 - 2.1.3 Employee recognition events such as secretary's week luncheons and employee award ceremonies.
 - 2.1.4 Announcement and recognition of personal or family tragedies of employees.
 - 2.1.5 Bulletin board solicitation, including employee announcements of personal items, such as cars, used uniforms, equipment or animals, offered for sale, exchange or free of charge.
- 2.2 Agency management, at the lowest appropriate level, shall:
 - 2.2.1 Designate the location(s) for an official bulletin board in work areas. Each institution, unit, facility and bureau shall have a minimum of one official bulletin board, and shall have a sufficient number to ensure access by all employees.
 - 2.2.2 By memo, approve or disapprove the requests for solicitation activities listed in sections 2.1.1 through 2.1.5 in a timely manner.

3.0 INTRA-DEPARTMENTAL SOLICITATION ACTIVITIES

- 3.1 Employees who want to solicit throughout the Department or volunteers, contractors, subcontractors, visitors or other persons wanting to solicit shall:
 - 3.1.1 Complete a Solicitation Request and Approval, Form 111-1, and attach a copy of all materials to be used in the solicitation activity.
 - 3.1.2 Submit completed forms and attachments to the appropriate agency management member at least 15 days prior to the requested solicitation date. Incomplete or late forms shall be disapproved.
- 3.2 Agency management, at the lowest appropriate level, shall forward solicitation requests with an attached recommendation for approval or disapproval, to the Director within three work days of receipt.
- 3.3 Approval by the Director or designee is required for the following intra-departmental solicitation activity requests:
 - 3.3.1 Social solicitations including, but not limited to, donations for farewell acknowledgments, birthday gifts and bereavement memorials.

- 3.3.2 Activities directed toward organizing employee participation in sports or recreational activities sanctioned, sponsored or otherwise representative of the Department.
 - 3.3.3 Employee recognition events conducted by the Department or a component thereof, such as, but not limited to, secretary's week luncheons and employee awards ceremonies.
 - 3.3.4 Employee recognition of personal or family tragedies of employees.
 - 3.3.5 Literature from organizations previously approved by the DOA Director that would be included in informational packets for new employee orientation.
- 3.4 A copy of all approved and disapproved solicitation requests shall be forwarded to the appropriate agency management staff member and to the requester within five workdays of receipt.

4.0 MARKETING OF AFFORDABLE EMPLOYEE HOUSING – As part of the Department's effort to assist in providing affordable housing and to provide a positive impact in retention efforts the Director may approve the marketing of affordable employee housing, subject to the following conditions:

- 4.1 Equal access shall be provided by the Department to all developers, builders and/or real estate agents offering affordable employee housing in close proximity to institutions where a shortage of affordable housing currently exists.
- 4.2 Any such developer, builder or real estate agent may submit a solicitation request to the Director to market the available affordable housing. The Director's approval is required prior to the commencement of such marketing efforts.
- 4.3 The Director retains the right to approve or disapprove marketing efforts, which may include but are not limited to; paycheck stuffers, posters and flyers, and notices in Department publications such as the "ADC POST" newsletter.
- 4.4 Any company or individual who is approved to solicit in accordance with this section shall bear the direct, out-of-pocket expenses associated with their marketing efforts.

5.0 POSTING

- 5.1 The bulletin board coordinator shall:
 - 5.1.1 Post all approved material on the bulletin board, subject to availability of space.
 - 5.1.2 Date all posted material to reflect the date of posting and the date of expiration.
 - 5.1.3 Remove any obscene, libelous and outdated material from the bulletin board.
 - 5.1.4 Provide Solicitation Request and Approval forms to requesting employees. Approved advertising or solicitation materials in work areas shall be posted only on official bulletin boards.

6.0 EMERGENCY APPROVAL

6.1 Activities of employees addressing matters of public concern shall not be prohibited. If the matter of public concern is of an urgent nature and is included in the provisions of section 3.0, it may receive immediate, preliminary approval from an agency management member, who shall consult the Employee Relations Office before granting approval. The following shall be submitted to the agency management member:

6.1.1 A completed Solicitation Request and Approval form.

6.1.2 A copy of all materials to be used in the solicitation activity.

7.0 **EMPLOYEE ORGANIZATION SOLICITATION ACTIVITIES** - Employee Organizations are permitted to participate in solicitation activities at the work site provided the recognized association is comprised principally of employees of state government. (A.A.C. Article 3. Solicitation – Director’s Instruction 206, Employee Organizations)

7.1 Institutional Solicitation/Recruitment

7.1.1 Qualifying employee organizations may solicit and recruit members at any of the Department’s facilities.

7.1.1.1 Other employee organizations may solicit and recruit members at any of the Department’s facilities however, must submit in advance a written request for solicitation to the affected Division Director in accordance with Department Order #112, Department Meetings.

7.1.1.2 The affected Division Director may approve such requests from other employee organizations and may provide authorization for such activities in consideration of accessibility and exposure to all staff, in order to provide convenient access. The Warden or Bureau Administrator shall consult with the affected Division Director as to the location where solicitation/recruitment may occur.

7.1.2 Permitted solicitation activities include the provision of recruitment handout materials and answering employee questions.

7.1.3 Solicitation activities shall be restricted to outdoor locations that do not interfere with or impede facility operations or staff.

7.2 Bulletin Board Use

7.2.1 Qualifying employee organizations are each authorized to utilize up to one-quarter of all designated Department employee bulletin boards as defined in section 5.0 for organizing purposes.

7.2.1.1 Other employee organizations may request prior approval from the affected Division Director to share up to one-quarter of the remaining designated Department employee boards for organizing purposes.

7.2.2 Department employee bulletin boards shall be identified by the affected Division Directors.

- 7.2.3 Qualifying and other employee organizations shall provide timely updated information including contact information for each representative, executive board member and the local chapter representatives.
- 7.2.4 Any material posted by qualifying or other employee organizations that is deemed inappropriate by the COTA Commander or Division Director who oversees a particular bulletin board may be removed by that authority without notice. The authority shall advise the Director’s Office and qualified employee organization or other employee organization of the removal and reason. Any resulting challenges to such removal may be pursued by appealing to the Director.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms

FORMS LIST

111-1, Solicitation Request and Approval

AUTHORITY

A.A.C. Article 3. Solicitation