**DISTRIBUTION AND SOLICITATION POLICY**

**PURPOSE**

[EMPLOYER'S NAME] has implemented this policy to regulate employee solicitation and the distribution of written materials within the workplace. These rules are designed to:

* Promote and sustain safe and efficient operations, ensuring the workplace remains productive and free of unnecessary distractions.
* Minimize activities unrelated to work that may detract from customer satisfaction, compromise product quality, or disrupt teamwork.
* Maintain a professional and clutter-free work environment conducive to collaboration and organizational success.

This policy complies with applicable state laws, including New Mexico's guidelines on workplace solicitation and distribution, and will be adjusted as necessary to align with the requirements of other states where [EMPLOYER'S NAME] operates.

**CONDUCT NOT PROHIBITED BY THIS POLICY**

While imposing lawful restrictions on employee solicitation during working hours and the distribution of written materials in working areas, this policy does not aim to discourage or prevent employees from engaging in legally protected activities/activities protected under state or federal law, including the National Labor Relations Act. Examples of such activities include:

* Discussing wages, benefits, or terms and conditions of employment.
* Forming, joining, or supporting labor unions.
* Bargaining collectively through representatives of their choosing.
* Raising complaints about workplace conditions for their and their coworkers' mutual aid or protection.
* Participating in legally mandated activities.

[EMPLOYER'S NAME] fully supports employees’ rights to engage in these protected activities without fear of reprisal or interference.

**RESTRICTIONS**

To maintain workplace efficiency and minimize disruptions, employees must adhere to the following restrictions regarding solicitation and the distribution of materials:

* Employees may not solicit other employees during working time.
* Employees may not distribute literature during working time.
* Employees may not distribute literature at any time in working areas.
* [Employees are prohibited from using employer-owned property, including but not limited to telephones, computers, smartphones, email systems, and intranets, for solicitation purposes[, or to engage in activities restricted by [NAME OF EMPLOYER EQUIPMENT OR ELECTRONIC COMMUNICATIONS POLICY]].]
* [Employees are prohibited from using employer-owned resources such as scanners, printers, copy machines, inter-departmental mail, mailboxes, or working-area bulletin boards to produce or distribute literature[, or to engage in activities restricted by [NAME OF EMPLOYER EQUIPMENT OR ELECTRONIC COMMUNICATIONS POLICY]].]
* [The only exceptions to this policy are for solicitations and distributions related to charitable activities that have been approved by [EMPLOYER'S NAME].]

These rules are designed to promote a professional work environment and ensure operational efficiency. For any questions or clarifications, employees should contact [DEPARTMENT NAME].

**DEFINITIONS**

Solicitation

Solicitation encompasses any approach made to another individual in person or through employer-owned resources, such as computers, smartphones, email systems, and intranets, for purposes that include but are not limited to:

* Offering items for sale.
* Requesting donations or collecting funds/pledges.
* Promoting, encouraging, or discouraging participation in or support for any organization, activity, event, or membership.
* Distributing or delivering membership cards or applications for any organization.

Distribution

Distribution refers to the dissemination or delivery of materials, whether in person or through employer-owned resources such as bulletin boards, computers, smartphones, emails, and intranets. These materials may include literature, circulars, notices, papers, leaflets, or other printed, written, or electronic matter.

Distributing or delivering membership cards or applications for any organization is classified as solicitation, not distribution.

Working time

Working time includes any period when either the individual soliciting or distributing or the individual being solicited or receiving non-business materials is engaged in or required to be performing work tasks.

Working time does not include periods when employees are properly not engaged in work tasks, such as break periods or mealtimes.

Working areas

Working areas are spaces under [EMPLOYER'S NAME]’s control where employees are actively performing work. This excludes locations such as cafeterias, break rooms, and parking lots.

These definitions clarify the scope of solicitation, distribution, and workplace activities to ensure compliance with this policy.

**POLICY ADMINISTRATION**

The [DEPARTMENT NAME] Department is responsible for overseeing and managing the implementation of this policy.

For any questions or clarifications regarding the rules, definitions, or enforcement of this policy, employees are encouraged to contact the [DEPARTMENT NAME] Department directly.

**POLICY ENFORCEMENT AND DISCIPLINE**

Employees who fail to adhere to the provisions outlined in this policy may face disciplinary action, which could include, but is not limited to, verbal or written warnings, suspension, or termination of employment, depending on the severity of the violation and the circumstances of each case.

**ACKNOWLEDGEMENT OF RECEIPT AND REVIEW**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (employee name), acknowledge that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), I received and reviewed a copy of [EMPLOYER'S NAME]’s [NAME OF POLICY]. I understand that it is my responsibility to familiarize myself with the policy and adhere to its terms.

I also acknowledge that this policy is not intended to create an employment contract or alter my at-will employment status, unless otherwise specified in a written agreement signed by an authorized representative of [EMPLOYER'S NAME]. Any delay or failure by [EMPLOYER'S NAME] to enforce the provisions of this policy does not constitute a waiver of its rights to enforce them in the future.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date