

Political Activity

SCOPE

This policy establishes substantive and procedural requirements for a City employee who files as a candidate for elective and public office; who acts in an official campaign capacity for an individual running for elective and public office; and the extent of political activity of a City employee, when he/she is not a candidate for elective and public office. All elected City officials are excluded from the requirements of this policy.

PROHIBITED POLITICAL ACTIVITY - EMPLOYEE

All City employees are restricted in their political activity. A City employee:

- may not engage in political activity while on the job;
- may not advocate the overthrow of the government by unconstitutional and violent means;
- may not use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office; and
- may not directly or indirectly coerce a State or local officer or employee to pay, lend, or contribute anything of value to any political cause or purpose.

SPECIAL REQUIREMENTS

A City employee may be subject to certain requirements of the federal government relative to working in an agency which receives federal funds and to stipulations entailed in the Hatch Act, Section 1502.

Federal Funds

A City employee whose principal employment is in connection with an activity which is financed in whole or in part by federal funds may not become a candidate for elected office and is subject to prohibition of political activities as detailed in this policy.

Hatch Act

The Hatch Act, Section 1502, provides that a State or local officer or employee may not be a candidate for elective office. The provisions of this Act apply to employees on leave status, whether annual leave, leave without pay, or other approved leave of absence. An employee is released from the requirements of the Act only upon termination of employment or through reassignment to a position not connected with a federally funded activity.

CITY REQUIREMENTS

Providing the City employee is not subject to the federal requirements as stipulated, the following requirements shall apply:

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Running For Office

Any City employee running for an elective and public office must request a leave, i.e., to include vacation leave, personal leave and compensatory time, or leave of absence without pay. Sick leave can not be used for such purposes. The effective period of such leave would be determined by the period of active campaigning and the appearance of any conflict in discharge of City duties as an employee.

Winning an Office

A candidate who is successful in winning the elective office is eligible to return to his/her City position until he/she is duly sworn and qualified for the position unless a conflict develops concerning his/her City duties as an employee. During the term of elective office, the candidate may request a leave of absence or must resign. If a conflict situation develops concerning the duties of the employee, the employee must resign from his/her job.

Losing An Office

A candidate who is unsuccessful in election to public office may return to his/her position in accord with the conditions of the approved leave. A candidate whose name appears on the ballot, even though they are not actually campaigning for elective office, may not return to work until the election has been held.

SANCTIONS

If an employee is found to be participating or otherwise conducting activities which cause conflict in the office of assignment, he shall be subject to sanctions to include dismissal as determined by the Civil Service Commission or City Charter as appropriate.

RELATED POLICIES

AM-208-2 ELECTIVE OFFICE: STATE SERVICE AND SERVICE IN OTHER JURISDICTIONS