



POLITICAL ACTIVITY

PM-62-04

Section: 62-00, MISCELLANEOUS PERSONNEL POLICIES

I. PURPOSE & SCOPE

To comply with a previously determined court decree that a City employee may seek an elective office. This policy applies to all regular and appointed employees of the City of Memphis Government. However, this policy does not apply to contingent employees.

II. POLICY

It is the policy of City of Memphis to ensure that all employees of City Government, whether civil service or appointed, are given equitable treatment as it relates to seeking political office. Employees who seek elective office, with the exception of elected officials of City of Memphis Government, shall comply in a timely manner with the following guidelines:

- A.** Before officially filing, the employee shall give written notice to the employee's Division Director stating the intention to seek elective office and the title of the elective office the employee will seek.
- B.** The employee's Division Director shall immediately give written notice of the employee's intent to the Chief Administrative Officer, including a copy of the letter of intent from the employee to the Division Director.
- C.** The employee shall be placed on a leave of absence two weeks prior to the primary and/or general election dates. However, the employee's Division Director, Chief Administrative Officer and/or Mayor hold the right to place the employee on a leave of absence prior to those dates if it is determined that the employee's candidacy interferes with the employee's assigned job duties and responsibilities, represents a conflict of interests, or if the employee is found to be engaging in political activity of any kind during the performance of their job.
- D.** If the employee wishes to continue receiving compensation when placed on leave of absence, the employee shall use their unused accrued leave with the exception of sick leave. When all accrued leave, with the exception of sick leave, is finally exhausted, the employee shall be placed on leave of absence without pay.



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- E. Should the employee be successful in acquiring the elective office sought, other than a City of Memphis elective office, the employee shall be allowed to continue City employment as long as the employee's elected responsibilities do not conflict with the employee's assigned job duties and responsibilities. If a difference of opinion as to conflict occurs between the employee and the employee's Division Director, the matter shall be presented to the Chief Administrative Officer for resolution, and the decision of the Chief Administrative Officer shall be binding on both the employee and the employee's Division Director.
- F. Should problems arise in the matter of City employees seeking elective office that are not defined in this policy, the matter shall be presented to the Chief Administrative Officer for resolution, and the decision of the Chief Administrative Officer shall be final.

NOTE: Pursuant to City of Memphis Charter (Ordinance Number 1852, Section 6, page HRA-27), any City employee who willfully violates or brings about the violation of any provision of this section directly or indirectly shall be found guilty of a misdemeanor and punished by a fine not in excess of Fifty Dollars (\$50.00), and any employee or official of the City shall, upon finding of guilty, immediately cease to be such employee or official of the City and be ineligible to hold any position or employment with the City for a period of five (5) consecutive years thereafter.