

TOWN OF LANDIS

RESOLUTION TO MODIFY PERSONNEL POLICY

Be it **RESOLVED** by the Town of Landis Board of Alderman that the Town of Landis Personnel Policy is hereby **AMENDED** as follows:

ARTICLE V

Section 2. Political Activity

...no employee shall:

- (f) Be a candidate for nomination or election to office under the Town Charter if that employee is the head of any department, Town Finance Officer, or Town Manager;

Section 5. Employment of Relatives or Board Members

No member of the Town Board of Aldermen may be hired into any vacant position within the Town.


No employee shall be appointed by the Board of Alderman to fill any vacant seat on the Board. The acceptance of any such appointment shall be deemed a resignation of the employee's position.

Provided, however, that any employee who is elected by vote of the people to the Town Board of Alderman may remain an employee, subject to the following conditions and limitations:

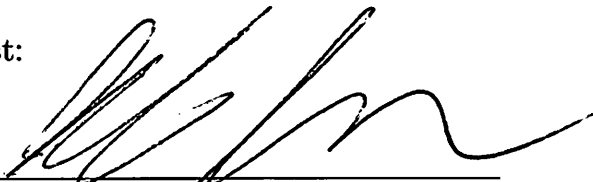
- (a) The member shall not assume the duties of the head of any department during their term of office;
- (b) The member requests to be excused from voting upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 160A-381(d), or 160A-388(e)(2), in accordance with G.S. 160A-75. The adoption of the annual Town budget, or amendments thereto, are hereby declared not to be a matter involving a member's own financial interest or official conduct.

These amendments are effective upon adoption of this resolution.

Adopted this 8th day of July, 2019.


Mike Mahaley, Mayor

Attest:


K.G. Isenhour, Town Clerk

Stylistic conventions:

Underlined: Text to be added / appended to existing body policy
~~Strikethrough:~~ Text to be removed from policy

May a government employee run for political office?

Diane M. Juffras

North Carolina General Statutes §§ 160A-169 and 153A-99 prohibit city and county employees respectively from campaigning for political office while on duty or from using government funds or supplies in support of a candidacy; G.S. § 126-13 contains a similar prohibition for state employees. These statutes do not, however, prohibit a government employee from being a candidate for local or state office on either a partisan or non-partisan basis.

Cities and counties may, however, adopt local ordinances that prohibit or place limitations on employee candidacy. Any local government employee considering running for office should check with either the human resources office, the manager or city or county attorney's office to find out whether such prohibitions exist.

Finally, the federal statute known as the Hatch Act prohibits state and local government employees from running for partisan political office if the employee works in a position that has duties in connection with programs financed in whole or in part by federal funds. For further information on the Hatch Act, see below.

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