

Civil Service Rule XV: Political Activity

Section 1. Political Assessments and Contributions:

(a) No person in a competitive position in the classified service shall be under any obligation to contribute money or anything of value to any political fund or to render any political service to any partisan or non-partisan candidate, political fund, political campaign, or other political project against his or her free will, and no such person shall be removed or otherwise prejudiced or discriminated against in any matter covered in Article XVIII of the City Charter for refusing to perform a political act.

(b) No person in an excepted position or competitive position in the classified service shall solicit contributions for any political party or partisan political campaign or partisan candidate from any person in a competitive position in the classified service.

Section 2. Political Speeches, Campaigning and Activity:

(a) No person holding an excepted position or a competitive position in the classified service shall use his or her official authority or influence to coerce or influence the political action of a person in the competitive service, or to coerce or influence the political action of any other person. In addition, no such person shall threaten to use his official authority or influence to coerce or influence the political action of any other person. And, further, no such person shall use his office, or official time, or City facilities in an active partisan campaign.

(b) No person holding an excepted position or competitive position in the classified service shall seek or accept nomination, election or appointment as an officer of a political party elected by popular ballot. No such person shall conduct any active campaign for elective office without first resigning his or her position. However, nothing shall prevent such person from seeking or accepting election or appointment to public office, short of an active campaign for elective office. An active campaign is defined to include, among other things, the act of officially filing for election to public office and/or publicly announcing the intention to run for public office.

(c) No person in a competitive position in the classified service shall take an active part in a partisan political campaign, and no such person shall take vacation leave or a leave of absence to work on political campaigns in the manner herein prohibited. An active part is defined as those activities which essentially attempt to influence voters to vote for a particular candidate or party, including serving on a campaign committee as Chairman, Treasurer, or other officer, circulating petitions provided for by any primary or election law for any candidate or party, acting as a worker at the polls or phone banks, distributing badges, bumper stickers, handbills, or other indicia favoring or opposing a candidate for election or nomination to a public office whether Federal, state, county, or municipal, or erecting signs favoring or opposing any such candidate.

(d) No person holding an excepted position in the classified service shall work on a political campaign while on duty, but shall devote the entire time to the duties of their office.

(e) Any person in a competitive position in the classified service shall have the right to become a member of a political club or organization, and to attend political meetings, and to freely express his or her opinions, short of expressions designed to influence others to cast their vote in a certain way in a partisan election. Such expressions by the employee may include opinions on political questions, including the quality of a political candidate; erecting yard signs on property owned or leased by the employee; affixing bumper stickers to an automobile owned or leased by the employee, provided the automobile is not used while the employee is engaged in official duties; wearing campaign buttons so long as they are not worn while the employee is officially on duty, or making a contribution to a political campaign within existing election laws.

(f) Members of the Civil Service Commission shall comply with the rules regarding campaigning and activity in accordance with the provisions of these rules applicable to persons occupying competitive positions in the classified service.

(g) Nothing in this section, however, shall prevent an employee in the competitive service from participation in non-partisan political campaigns, including non-partisan election campaigns for school boards, bond issues, tax measures, constitutional or charter amendments, referendums, initiatives, and petitions in pursuit of such measures.

(h) For the purposes of this rule, a competitive position in the classified service shall mean any position that is not excepted, whether the incumbent has received a competitive, provisional, temporary transient or limited-term appointment.

Section 3. Political Influence and Coercion:

No person, while holding any City office or employment in the excepted or competitive service, or while in nomination or seeking nomination to appointment to any office shall corruptly use or promise to use, directly or indirectly, any official authority or influence, possessed or anticipated, to confer upon any person, or to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion, or increase of salary upon the consideration or condition that the vote or political influence or action of any person shall be given or used in behalf of any candidate, officer, or party, or upon any other corrupt condition or consideration. No person holding a position in the excepted or competitive service shall favor or discriminate against any employee in any matter under the purview of Article XVIII on the basis of the employee's political affiliations, beliefs, or actions. No person, being an officer or holding any position in the competitive or excepted service, or having or claiming to have any authority or influence in relation to the nomination, employment, confirmation, promotion, removal, or increase or decrease in salary of any employee, shall corruptly use or promise or threaten to use any such authority or influence, directly or indirectly,

to coerce or persuade the vote or political action of any person, or the removal, discharge, or promotion of any employee of the City.

Section 4. Voting:

On any election day the offices of the City shall remain open for business. All employees shall be entitled to and be given an opportunity to vote. In most cases, the employee can vote without taking time off from his or her regular job duties. However, when this cannot be accomplished, the employee may be granted time off with pay to vote under the conditions that follow. When it is necessary to be away from the place of work to vote, the employee may be granted time off with pay with the approval of the employee's appointing authority. The total time away from the place of work allowed to an employee for the purpose of voting shall be kept to a minimum and shall not exceed the minimum of voting time required by the Revised Statutes of the State of Missouri and shall be requested in accordance with such Statutes.

Section 5. Violations, Penalties:

In every case where it shall come to the attention of the Director that any employee in the classified service, subject to Article XVIII and these rules, has engaged in political or other activities forbidden under these rules and Article XVIII, he shall conduct an investigation and upon the completion of the same present his findings to the Commission at its next regular meeting thereafter. The Commission, following a review of the findings, may conduct a complete investigation and hearing; if the Commission finds that the employee has been guilty of a violation of the act and these rules, it shall order immediate dismissal of the employee, or such other disciplinary action authorized by these Rules deemed appropriate, and shall instruct the Director to so inform the Comptroller. In any case where an employee of the classified service has been coerced into taking unwanted political action by those in authority over him, he may report such circumstances directly to the Commission who will investigate and take such action as is indicated.

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