

**OFFICE OF THE CITY MANAGER
DES MOINES, IOWA**

**CITY COUNCIL COMMUNICATION 96-401
SEPTEMBER 16, 1996 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
POLITICAL ACTIVITY OF CITY EMPLOYEES—REVISION OF THE MUNICIPAL CODE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	LYNN LESLIE CIVIL SERVICE/PERSONNEL ADMINISTRATOR

SYNOPSIS —

City Manager and Legal Department recommend revising the current Municipal Code, Section 2-300 regarding political activity of City employees to reflect State statute. State law requires that any public employee who is running for partisan elective office for remuneration, shall take a 30-day leave of absence prior to the date of the primary or general election, continuing until such person is eliminated as a candidate, either voluntarily or otherwise.

State law also provides for such individuals to use accrued vacation leave or accrued compensatory leave if available instead of leave without pay. It is recommended that this provision (use of accrued vacation and compensatory leave) be added to the Municipal Code of Des Moines.

FISCAL IMPACT —

None.

RECOMMENDATION —

Approval.

BACKGROUND —

State law requires that a public employee who is a candidate for partisan elective office for remuneration must take a 30-day leave of absence prior to the primary or general election. Further, State Code requires that such individual shall perform no duties connected with the office or positions so held during this 30-day period. Des Moines Municipal Code is consistent with State Code in these areas. State law, however, recognizes that the required 30-day leave may pose a financial hardship for potential candidates, and as such, it does allow public employees to substitute accrued vacation and compensatory leave to substitute for unpaid leave during the 30-day period. This proposed amendment will simply update the Municipal Code of Des Moines to conform with State Code.

The use of accrued vacation and compensatory time will not cost the City any additional funds as this type of accrued leave is owed to the employee either during their employment period, upon resignation, or to a designated beneficiary upon the employee's death.