

Policy 709 Political Activity

The Village of Pinckney recognizes that Village employees have the same fundamental civic responsibilities and privileges as other citizens; among these are campaigning for an elective public office and holding an elective or appointive public office. When campaigning as, or for, a candidate, the use of Village facilities, equipment or supplies is prohibited.

Village employees shall not engage in any type of partisan or non-partisan political activity at any time during their working hours.

In areas where there may exist a potential or actual conflict of interest, a leave of absence or resignation, as determined by municipal counsel, may be required.

At this time, I'm requesting clarification on policy 709 of the village of Pinckney's employee handbook
And how it interacts with section 15.403 of act 169 of 1976 political activities by political employees

I am trying to determine if the village manager the village zoning administrator

The event coordinator for DDA and a DPW employee has to take leave in order to campaign for an election

In act 169 of 1976 it says if a person becomes a candidate for elected office,

the employer may require the person to request time off

As you can see our handbook says policy 709
you may be required to take a leave of absence if there is a conflict of interest

POLITICAL ACTIVITIES BY PUBLIC EMPLOYEES (EXCERPT)

Act 169 of 1976

15.403 Employee of political subdivision of state; permissible political activities; resignation; leave of absence.

Sec. 3.

(1) An employee of a political subdivision of the state may:

(a) Become a member of a political party committee formed or authorized under the election laws of this state.

(b) Be a delegate to a state convention, or a district or county convention held by a political party in this state.

(c) Become a candidate for nomination and election to any state elective office, or any district, county, city, village, township, school district, or other local elective office without first obtaining a leave of absence from his employment. If the person becomes a candidate for elective office within the unit of government or school district in which he is employed, unless contrary to a collective bargaining agreement the employer may require the person to request and take a leave of absence without pay when he complies with the candidacy filing requirements, or 60 days before any election relating to that position, whichever date is closer to the election.

(d) Engage in other political activities on behalf of a candidate or issue in connection with partisan or nonpartisan elections.

(2) However, a public employee of a unit of local government or school district who is elected to an office within that unit of local government or school district shall resign or may be granted a leave of absence from his employment during his elected term.

History: 1976, Act 169, Imd. Eff. June 25, 1976

And as you can see in the act, it says an employer may require a person to request and take a leave of absent without pay

So I am asking for a determination from the board whether or not

I would have to take a leave of absence to run for office for the village of Pinney

Thank you, Raymond Rau