

## City Council – Action Request Form

**Date:** November 9, 2021

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**To:** Mayor, Mayor Pro Tempore, and Members of the City Council

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**From:** Angela I. Carmon, City Attorney

**Council Action Requested:**  
 Resolution Amending Article I. Conditions of Employment, Section 20 Political Activity of the City of Winston-Salem Personnel Resolution

**Strategic Focus Area:** Service Excellence  
**Strategic Objective:** No  
**Strategic Plan Action Item:** No  
**Key Work Item:** No



**Summary of Information:**  
 Article I. Section 20 Political Activity of the City of Winston-Salem Personnel Resolution contains a provision that prohibits an employee from being a candidate for political or partisan elected office unless said employee is on an unpaid leave of absence authorized for said purpose. Concern has been expressed about the potential financial impact of requiring a City employee to be on an unpaid leave of absence under such circumstances. The attached amendment to the Personnel Resolution removes that requirement from the Personnel Resolution. The remaining language in Section 20 of the Personnel Resolution will still prohibit the use City funds, supplies, or equipment for partisan purposes, or for political purposes, except where such political uses are otherwise permitted by law.

Finally, language has been added that incorporates the legal concept of incompatibility and makes it clear that it is incompatible for a person to serve as both a City employee and Council Member or Mayor. This concept is also captured in state law as well. Thus, an employee, upon installation as a Council Member or Mayor, automatically resigns or forfeits his/her position as an employee of the City of Winston-Salem. Otherwise, the Council Member or Mayor would be under the direct or indirect supervision of the person it supervises, the City Manager. The attached amendment is recommended for your approval.

**Committee Action:**

<b>Committee</b>	CDHGG 11/9/2021	<b>Action</b>	Approval
<b>For</b>	Unanimous	<b>Against</b>	

**Remarks:**