

# REQUEST FOR ACTION: EXECUTIVE ORDER

Version: 02/27/2009

AGENDA FOR:  MAYOR

DATE: January 18, 2011

Tulsa City Clerk's Office: 596-7513 or 596-7514

**FOR INFORMATION CONTACT:**

DEPARTMENT: MAYORS OFFICE

CONTACT NAME: Terry Simonson

ADDRESS: 175 East 2

TELEPHONE: 596.7411

EXECUTIVE ORDER YEAR: 2011

EXECUTIVE ORDER NUMBER: \_\_\_\_\_

EXECUTIVE ORDER SUBJECT: Prohibiting Certain Political Activities

**SUMMARY:**

An executive order to protect the efficiency and integrity of local political activities and imposing limitations on political activities in which City employees may participate.

**BUDGET:**

**FINANCE DIRECTOR APPROVAL:**

N/A

**REQUEST FOR ACTION:**

*All department items requiring Council approval must be submitted through the Mayor's Office.*

Request Mayor approve and sign this Executive Order.

DEPARTMENT HEAD APPROVAL: \_\_\_\_\_

DATE: 1-18-11

CITY ATTORNEY APPROVAL: \_\_\_\_\_

BOARD APPROVAL: \_\_\_\_\_

MAYORAL APPROVAL: \_\_\_\_\_

OTHER: \_\_\_\_\_

FOR CITY COUNCIL OFFICE USE ONLY:

DATE RECEIVED: \_\_\_\_\_

COMMITTEE: \_\_\_\_\_

COMMITTEE DATE(S): \_\_\_\_\_

FIRST AGENDA DATE: \_\_\_\_\_

HEARING DATE: \_\_\_\_\_

SECOND AGENDA DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_

For City Clerk's Office Use Only (Agenda Date: MMDDYYYY; Sec #; Dept ##, Item ##, Sub-Item ##, Status: S=Synopsis):

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EXECUTIVE ORDER  
PROHIBITING CITY OF TULSA EMPLOYEES FROM  
CERTAIN POLITICAL ACTIVITIES

EXECUTIVE ORDER # 2011-02

The City of Tulsa recognizes the important balance between City of Tulsa employee's interest in political expression and their participation in political activities.

The City of Tulsa, through the City Charter and the Employees Personnel Policies and Procedures, has addressed this important balance and, together, provide the guidance for what participation in political activities is allowed and what is not allowed for all city employees.

The City of Tulsa's charter is the organic law of the city, being to it what the constitution is to the state, and the charter controls over conflicting state law in matters of purely local interests such as purely local elections: 11 O.S. Section 13-109

The City of Tulsa receives a great deal of federal funding for government services and, as such, local political activities are regulated by the Federal Hatch Act which states, in part, that local employees are not permitted to use their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office. .

The City of Tulsa believes it is important to protect the efficiency and integrity in the public service and that this constitutes a valid governmental interests as well as to inspire confidence in the city government by imposing limitations on political activities in which city employees may participate in and thereby eliminating the appearance of influence.

THEREFORE by virtue of the power vested in me as the Mayor of the City of Tulsa, Oklahoma, it is hereby found and ordered that:

1. The city charter provisions addressing permissible and impermissible political activities by city employees does control and prevail over conflicting state statutes and shall operate as a repeal or suspension of the state law or laws to the extent of any conflict in matters regarding political activities in local elections and local concerns; Article XII – Section 9 of the City Charter and Title 11 Okla.Stat. Section 13-109;
2. As some city employees are paid in whole or in part with federal grant funds, the regulations on allowable political activities by city employees found in the Federal Hatch Act do and shall apply to City of Tulsa employees, 5 U.S.C Section 7324;

3. The integrity of public service must be free of the appearance of city employee influence in city elections of purely local interest and local concern;

4. That elections for Mayor, Auditor, City Councilor, and proposed changes to the City Charter are not matters of state wide public interest but rather matters of local interest and local concerns;.

The following shall govern Tulsa City Employee activities regarding political activities pursuant to the City Charter and the Employee Personnel Policies and Procedures:

1. Employees in the classified service shall not take an active part, nor shall they use their position as a City of Tulsa employee in an attempt to influence the outcomes, in any City political campaign of purely a local interest and local concern, except to vote and privately state their personal opinions.;
2. Political contributions shall not be solicited by or from persons in the classified service;
3. City Charter Article X Section 10.1 and Article XI – Sections 5.1 prohibit political activities by all person in the classified service of employment with the City of Tulsa as well as all members of the Tulsa Fire Department. and prevail over any conflicting state statute to the contrary;
4. No classified employee shall use his or her official authority or influence for the purpose of interfering with an election. This is to include, but is not limited to, visually or orally identifying themselves as a City of Tulsa employee. "Visual " identification includes any dress or markings which identifies an individual as an employee of the City of Tulsa

Effective Date: This order shall take effect immediately.

Approved and effective this 14<sup>th</sup> day of January, 2011.



ATTESTED

[Signature]  
DEPUTY City Clerk

[Signature]  
Dewey F. Bartlett, Jr. Mayor

APPROVED TO FORM AND LEGALITY:

[Signature]  
City Attorney