

## **Executive Order 2014-3**

TO: CITY CLERK, ALL DEPARTMENT HEADS, and ALL EMPLOYEES

RE: INTERACTIONS BETWEEN COUNCIL MEMBERS AND CITY EMPLOYEES

AUTHORITY: CHARTER SECTIONS C35(A), C37

PURPOSE: To establish a procedure regulating the interactions between city employees and Council Members.

Executive Order:

Executive Order 2014-2, (addressing interactions between Council Members and city employees) is hereby rescinded and replaced with this order.

### **Explanation:**

The executive power of the City of Amsterdam is vested by the City Charter in the office of the Mayor. This means that the Mayor directs the work of the employees in their official employment capacity. The Council Members are granted legislative authority. Council Members have the authority to enact local laws, ordinances and resolutions. These enactments create a regulatory structure that must be followed by employees and the public. Individual Council Members do not have any authority to direct employees.

Members of the Common Council need access to information to perform their legislative functions and they need reasonable cooperation from employees to represent their constituents. Simultaneously, the work of employees must proceed in an orderly manner with uniform direction.

### **Directive:**

All City Employees are directed to comply with the following procedure while working in their official capacity:

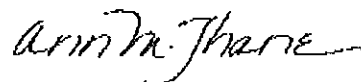
1. Employees are to respond to reasonable information requests from Council Members and provide the requested information. Employees should not provide information that is protected or confidential, such as employee health records. If the work time required to provide the requested information is significant or if there are questions about the reasonableness of the request the employee should consult their immediate supervisor. Requests for information that are complex or burdensome are to be brought to the

attention of the employee's immediate supervisor and the request should not be answered unless directed by a supervisor.

2. Employees are not to respond to information requests that will require greater than fifteen minutes of work time to process without authorization from their immediate supervisor.
3. Requests for information that are unreasonable, meaning that preparation of the response will negatively impact other work, due to the effort required to provide the information, or that the requested information serves no legitimate governmental purpose, are not to be answered. Any such request is to be brought to the attention of the employee's department head.
4. Except as provided by paragraph 6 herein, all requests for meetings between council members and any department head to discuss department policy, the work performance of any department employee, or department procedures are to be made through, and approved by, the Mayor's Office. No department head is to meet with a council member to discuss department policy, the work performance of any department employee, or department procedures without prior approval of the Mayor.
5. Council Members may occasionally request that certain tasks be performed by city employees. Even though Council Members have no authority to direct employees it is appropriate to comply with such reasonable requests that are a part an employee's job description, however an employee is not required to comply with any such request. In any event, employees shall advise their department head of all such requests.
6. To protect the fundamental first amendment rights of employees, this executive order does not apply to any city employee in his or her non-official capacity when he or she wants to speak, associate, or meet with anyone as a private citizen regarding non-confidential matters of public interest.

DATE: October 23, 2014

**SO ORDERED,**



**MAYOR ANN M.THANE**