



Unified Government Human Resources Guide

Effective 04-01-05

SPEECH BEFORE THE BOARD OF COMMISSIONERS

- I. General: Unified Government employees may address the Unified Board of Commissioners on matters of public concern.
- II. Policy
 - A. Unified Government employees may attend public open meetings of the Unified Board of Commissioners or Board committee and may address the Board or committee during such meetings if the Board's Rules and Procedures permit such comment, subject to the following limitations:
 1. To be allowed to address the Board or committee, a Unified Government employee must speak on a matter of public concern.
 2. Comments by a Unified Government employee on a matter of personal interest will not be allowed.
 3. A Unified Government employee will be allowed to address the Board of Commissioners on items on the Board's agenda, as long as the employee's comments relate to a matter of public concern, rather than personal interest.
 4. If the Administrator determines that a Unified Government employee's remarks relate to a matter of personal interest, rather than public concern, such remarks will not be allowed.
 - B. Guidelines
 1. Matters of public concern are those that are of interest to the community, whether for social, political, or other reasons.
 2. In deciding whether a particular statement involves a matter of public concern, the fundamental inquiry is whether the employee speaks as a citizen or as an employee. The content, form and context of the speech, as well as the speaker's motivation, must be considered.
 3. Speech pertaining to internal personnel disputes, personal grievances, internal policies or working conditions ordinarily is not of public concern. On the other hand, speech that pertains to a public agency's discharging its governmental responsibilities or that questions the propriety of governmental operations or the integrity of governmental officials is a matter of public concern.
 4. The term "working conditions" includes, but is not limited to, matters relating to wages, salaries, hours of work, overtime, vacation, sick leave, injury leave, holidays, retirement benefits, insurance benefits, wearing apparel, discipline, termination, promotion, demotion and transfer.



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5. Even though a statement by an employee addresses a matter that ordinarily would be of personal interest, the statement may involve a matter of public concern, depending upon the content, form and context of the statement.
- C. The Board of Commissioners requests that employees address matters of personal interest involving their employment with their supervisors or other management or Human Resources personnel or through the grievance process, as appropriate, rather than through oral or written communications with Board members. Under the Unified Government charter, authority over personnel decisions is vested in the County Administrator (or, in the case of the Mayor's staff, the Mayor). The Board of Commissioners and its members are prohibited from in any manner directing, supervising or requiring the appointment, promotion, transfer, assignment, demotion, discipline, suspension, discharge or removal of any officers or employees that the Mayor, County Administrator or any of their subordinates are empowered to appoint.
 - D. This policy is intended to be a statement of the right of Unified Government employees to freedom of speech. This policy shall be interpreted so as to protect an employee's right to free speech.