



**U.S. OFFICE OF SPECIAL COUNSEL**

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August 14, 1997

This letter is in response to your request for an advisory opinion concerning the Hatch Act. Specifically, you ask whether a Substitute Rural Carrier for the U.S. Postal Service would be covered by the provisions of the Hatch Act and consequently prohibited by the Act from running for public office in a partisan election.

The Hatch Act Reform Amendments of 1993 (5 U.S.C. §§ 7321-7326) prohibit a covered employee from being a candidate for public office in a partisan election, i.e., an election in which any candidate represents, for example, the Democratic or Republican party. Temporary, part-time and regularly scheduled employees are covered by the provisions of the Act. However, employees who work an irregular schedule are not prohibited from running for public office in a partisan election.

According to information that you provided, the Substitute Carrier does not work a regular schedule. Because the Carrier is an irregularly scheduled employee, he would not be prohibited by the Hatch Act from running for public office in a partisan election. However, he is covered by the Act while actually on duty and should not engage in any political activity during that time. Please call me at 800-854-2824 if you have any further questions.

Sincerely

A handwritten signature in black ink, appearing to read "K. Dalheim", written over a horizontal line.

Karen Dalheim  
Attorney