



# **Helping Your Employees Serve in the State Legislature**

## **A Guide for Washington Employers**

*[www.enterprisewashington.org](http://www.enterprisewashington.org)*

# **Table of Contents**

Building a More Responsible State Legislature – Page 1

The Time Commitment – Page 2

Compensation – Page 3

Most Likely Options for Compensation – Page 4

Benefits – Page 5

Conflicts of Interest – Page 6

Making the Commitment – Page 7

Sample Letter – Page 8

# Building a More Responsible State Legislature

There is no other category of professional who is more suited for service in our state government than the experienced business leader. These individuals have proven themselves to be excellent statesmen. The business skills they have perfected in their careers prove invaluable in creating a responsible and sustainable state government.

Unfortunately, for many years the Washington State Legislature has been largely absent of professional business leaders on both sides of the aisle. Businesses are busy working hard for those who keep them in business: their customers. Unfortunately, special interest groups are also working hard for those who will keep them in business: state government. Groups like organized labor, teachers, social service advocates and tribes have done a good job promoting candidates to public office to ensure the growth of "industry sectors." This is a successful formula that the business community must adopt to help Washington state's private businesses and all their employees who count on their success and longevity.

There are 147 members of Washington state's legislature. Of these legislators, 84 members are employed through the private sector, 59 are public sector employees and 4 are union leadership members. To have a legislature in which the voices of Washington state's businesses are heard – including those of owners, managers, employees and customers – more people with a strong understanding of what it takes for a business to succeed need to serve.

Washington state businesses have a great opportunity to benefit from greater participation in the legislative process. One important way to get involved is by encouraging your employees to run for the legislature. All businesses benefit when business-savvy employees help to shape Washington's public policy. As an employer, you also can benefit directly from the leadership skills, contact, and understanding of the political process that your employee gains from serving in the legislature.

Important questions arise when an employee runs for and, if successful, serves in the state legislature. How much do you pay them? What about their benefits? How about conflicts of interest? But, it is more manageable that you might think. To assist Washington state's businesses, we offer this guide for developing policies for employees who serve in the Washington legislature while maintaining their existing employment.

It is our hope at Enterprise Washington that by helping employers understand how to accommodate an employee-legislator, more people who understand the needs and concerns of business will be willing to run and to serve. Over time, the legislative process can be improved to foster an economic climate that is more conducive to economic growth and prosperity for all Washington state individuals and their families.

# The Time Commitment

Service in the Washington State Legislature was never meant to be a full time job. Most legislators must look to income from private sources to support themselves and their families. The Washington State Legislature was purposely designed to be part time so that people from all walks of life could serve. Ideally, legislators would take some time off from their regular jobs, bring their expertise to the legislature, and then return to their full time work.

Over the last decade that expectation has become far more difficult to realize. With the first regular session that usually extends from January into May in odd-numbered years (180 day session and non-election year) a second-year session that runs January through March in even numbered years (90 day session and election year), and a host of committee meetings and studies when the legislature is not in session, the time commitment is significant.

During the first months of the session, the legislature meets briefly two times a week and the joint standing committees meet for two or three times a week. Most legislators serve on three committees. As the committees begin to report out bills the full legislature will meet in longer and more frequent sessions until the last month of the session when they work nearly full time.

Most legislators spend about 10 months of the 24-month biennium at the legislature; more than that is required for those in leadership positions. While some legislators try to fit their "day job" around the legislative schedule by working nights and weekends, the reality is that legislative service means significant time away from work. Washington state is recognized as a citizen legislature.

Under Washington state term limits law, state legislators have no term limits in either the Senate or House.



## Compensation

If your company has an employee who is interested in serving in the legislature, you should put in place a policy that addresses how that person will be compensated and how benefits will be treated during legislative service. The following areas should be considered in establishing such a policy: salary, time off, vacation, pension, health insurance, retirement, medical savings plan, seniority, conflicts of interest, union membership and disability coverage. Once established, the policy should of course be applied consistently.

Legislators receive an annual compensation of \$36,311, plus generous medical, dental and life insurance benefits offered to all state employees and their dependents. They are compensated for travel and receive meal allowances (\$90/day) when they are on legislative business. Washington state legislators spend approximately 70% of a normal 40 hour work week time while serving as a state lawmaker.

The ability of Washington state businesses to absorb the cost of an employee's legislative service obviously varies greatly by size, industry, season and other factors. There is no single approach to compensation that will work for everyone. Whatever you decide, we recommend that you put in it to writing for each employee actually serving in the state legislature.



## The most likely options for compensation

**Pay full salary or hourly pay.** The employer simply pays the employee as if he or she continued working a standard workweek. Employer and employee negotiate work expectations during the legislative session.

**Pay full salary or hourly pay, less legislative pay.** You reduce pay for the standard workweek by the amount of legislative compensation. The option assures that your employee will not experience a financial loss while serving in the state legislature. Again, you and your employee negotiate work expectations during the legislative session.

**Pay for hours actually worked.** Hourly employees are paid for hours worked at your company while serving in the legislature. This option only applies to non-exempt hourly employees. You could offer the employee-legislator any other available hours to make up for lost time.

**Leave of absence.** You place the employee on an unpaid leave of absence when the legislature is in session, which would end when the legislature adjourned. Keep in mind, too, that the Governor can call legislators back for a special session at any time, but these sessions usually last only a few days.

In most cases these arrangements can be followed without running afoul of any state and federal wage and hour laws. However, these laws-especially those relating to overtime – can be tricky, so if you have any concerns that the plan you have in mind might not comply with the law, you should seek advice from your regular employment counsel.

## Benefits

Legislative service carries with it generous health and dental coverage for legislators. Washington state covers 79% of cost of coverage for legislators; dependents will have 77% of their health benefits covered. Basic life insurance is offered to legislators at no cost; higher benefits and dependent coverage is offered at low cost. Legislators contribute to the state retirement system and accrue time towards a state pension.

As with compensation, you can generally make your employee-legislator "whole" when it comes to employment benefits, but if you have retirement, disability insurance or other benefits, you should review your specific plans before deciding how to handle benefits for the employee-legislator.



## Conflicts of Interest

You may also wonder about the possibility that conflicts of interest may arise with legislation affecting your industry or business. Washington state addresses this issue in the Revised Code of Washington 42.52, and has also been addressed by the courts and the Public Disclosure Commission. This code should be reviewed and understood by both employer and employee before serving in the Washington State Legislature.



## Making the Commitment

While it may be difficult to contemplate the sacrifices that legislative service demands of both employers and employees, encouraging a valuable employee to run for office and serve in the legislature is one of the best ways to build support for improving Washington state's business climate.

Like a United Way loaned executive, an employee-legislator is a good investment. He or she can ably represent your interests and values in the legislature and create lasting goodwill towards your company. In addition, you will be gaining an employee with valuable leadership experience and an understanding of the political process.

There is no question that legislative service involves sacrifice for both the employer and employee, but if enough good people get involved, we can truly change the way Washington state does business.



# Sample Letter

*Drafting a simple e-mail or letter to your business colleagues could help you discover some talented and respected individuals who may have never considered running for public office.*

Dear \_\_\_\_\_:

I am working with Enterprise Washington, a non-profit, non-partisan organization, to identify and recruit candidates interested in offering their professional business expertise to the Washington State Legislature by becoming a candidate for State Senator or Representative. Enterprise Washington helps businesses of all sizes understand how the laws passed in Olympia affect their bottom line, and which candidates - regardless of party - support a legislative agenda that promotes and advances a healthy climate in which private sector industries can flourish.

We need private citizens to contribute the expertise and skill set that they have garnered in the private sector to offer creative and innovative solutions for current issues facing our state government. Issues such as how to reign in unsustainable health care spending growth that is crowding out funding for other priorities critical to the long term prosperity of the state, improve the quality of K-12 and post-secondary education and continue the progress made in recent years to upgrade transportation infrastructure.

We are looking for individuals, Democrats, Independents and Republicans who are active in their community at the same time committed to improving the state for businesses of all sizes. We have identified several legislative district opportunities for 2010, 2012 and beyond. Enterprise Washington leadership is now reaching out to those communities across the state to find high quality candidates. It is never too early to begin building a successful campaign. Candidates who are interested in running for office will be assisted through training such as issue briefings and the mechanics of how run a successful campaign.

In every community there are high profile individuals who have natural leadership skills. We most often find them already serving their community as school board members, city council members, chamber members, church board members, business owners or health care professionals, but they can also be homemakers, neighbors or friends.

If you know of someone that may be interested in serving the people of Washington, please forward their contact information to me. Also, please feel free to forward this message to others that may be able to identify candidates as well.

This truly is an exciting opportunity for leaders in your community, and the perfect time to encourage them to run for public office.

Thanks.

[Your Name]



*For more information about running for office and ways to encourage and support your employees who want to serve, please contact us at:*

**Enterprise Washington**  
**1275 12th Avenue NW, Suite 2**  
**Issaquah, WA 98027**  
**425-313-0074**  
[www.enterprisewashington.org](http://www.enterprisewashington.org)