

OVERRIDDEN
7/25/88

June 22, 1988
0022C:SM:rwb

INTRODUCED BY Cynthia Sullivan

PROPOSED NO. 88-417

ORDINANCE NO. **8575**

AN ORDINANCE relating to and governing solicitations for charitable contributions from county employees to be made by payroll deductions.

PREAMBLE:

King County employees have historically shown their commitment to help resolve the social needs of the community they serve, and King County recognizes the importance of programs and services provided to its citizens by charitable organizations and encourage support of those organizations. Therefore, King County employees should be provided the opportunity to strengthen their community by providing assistance to charitable organizations based on informed choices.

Currently, a single charitable organization is authorized to conduct a campaign for solicitations from county employees for contributions which the employees may make through payroll deductions. Charitable organizations not affiliated with that organization and therefore currently not permitted to participate in the annual campaign for contributions from county employees desire to be permitted to participate in a campaign for such contributions.

A survey of county employees conducted in February, 1988, indicates a general preference for expanding the scope of an annual solicitation campaign beyond those charitable organizations now affiliated with the United Way, and that county policy should so provide.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Intent and Purpose. A. This chapter is intended

to establish a means consistent with state law governing salary and wage deductions for charitable agencies, whereby uniform procedures will be established for the efficient administration of one annual campaign for charitable contributions from county employees which may be made through payroll deductions. This chapter shall be liberally construed to accomplish this purpose.

B. The purpose of this ordinance is to:

1. Lessen the burden of county government and of local communities in the meeting of charitable needs;

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1 2. Provide a convenient channel through which county
2 employees may contribute to the efforts of qualifying agencies
3 providing services in the community or overseas;

4 3. Minimize both the disruption to the county workplace
5 and the costs to the taxpayer that multiple charitable fund
6 drives have caused; and

7 4. Ensure that recipient agencies are fiscally responsible
8 in the uses of the monies raised.

9 SECTION 2. Definitions.

10 A. "Campaign" means the solicitation of contributions from
11 county employees by representatives of federations of charitable
12 organizations through oral presentations, printed materials,
13 audio/video media or other similar means which occurs on county
14 property during normal county business hours.

15 B. "Charitable organization" means an organization which has
16 been in active existence at least three years and which is
17 formally recognized by the United State Internal Revenue Service
18 as complying with section 501(c)(3) of the Internal Revenue Code
19 and all contributions to the organization must be deductible for
20 federal income tax purposes under Section 170 of the Internal
21 Revenue Service Code of 1954 as demonstrated by receipt of an
22 internal revenue service letter of determination granting tax
23 deductible status to the charitable organization.

24 C. "Federation of charitable organizations" means a group
25 representing at least 5 charitable organizations which is
26 organized to solicit and distribute contributions on behalf of
27 its member charitable organizations.

28 SECTION 3. Employee charitable campaign committee
29 established. A. Composition. A county employee charitable
30 campaign committee is established consisting of eleven county
31 employees: Nine county employees shall be appointed by the
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1 council (one to be nominated by each councilmember) and two
2 representatives of the executive agencies responsible for
3 implementation to be appointed by the executive. The term of
4 committee members shall be three years except that the terms of
5 those first appointed by the council shall be staggered with four
6 employees appointed for two years and five employees appointed
7 for five years. The committee shall elect a chair annually and
8 such other officers as may be needed.

9 B. Functions. The committee shall recommend rules
10 consistent with this chapter to the council necessary to the
11 conduct of charitable campaigns. The rules shall be approved by
12 the council prior to becoming effective. The committee shall
13 also coordinate the charitable campaigns. Such coordination may
14 include but need not be limited to determining which federations
15 of charitable organizations may, consistent with this chapter and
16 any rules adopted pursuant to it, participate in the county's
17 charitable campaign and the dates by which applications must be
18 filed for the annual drive. The committee shall assist the
19 executive or designee in the selection of a campaign manager who
20 shall be responsible for the details of the campaign operation
21 under the general oversight of the committee. Cost of the
22 campaign manager shall be included as part of the administrative
23 cost of conducting the campaign.

24 C. Compensation. Members of the committee shall serve
25 voluntarily without additional salary but shall be reimbursed by
26 their employing departments for travel, lodging and meals in
27 accordance with county laws and regulations. Committee members
28 shall be given release time from regular work hours to serve on
29 the committee. Employee members of the committee shall be paid
30 no additional compensation for working beyond normal working
31 hours.

1 SECTION 4. Provisions for charitable campaigns.

2 A. Frequency. There shall be one annual campaign by
3 federations of charitable organizations as provided by this
4 ordinance and in accordance with rules adopted pursuant to this
5 ordinance. The executive shall designate the month in which the
6 combined drive will be held.

7 B. Eligibility for participation. A federation of
8 charitable organizations shall be eligible to participate in the
9 annual campaign if:

10 1. The federation submits a timely application for
11 participation to the committee to include as a minimum a
12 certification signed by an authorized officer or employee of the
13 federation which shall contain statements to the effect that:

14 (a) The charitable organization and the federation meet
15 the standards established respectively in Sections 2B and 2C of
16 this ordinance.

17 (b) The federation has been in existence and has
18 actively made grants for the previous twelve months.

19 (c) The federation has express permission of the board
20 of directors of each organization represented by the federation
21 for the use of its name and participation in the fund drive.

22 (d) The federation and each organization represented by
23 the federation is registered with the secretary of state of
24 Washington as provided by RCW 19.09.065 and is in compliance with
25 Washington laws governing charities to the best of the knowledge
26 of the individual certifying the application.

27 (e) The federation and each organization represented by
28 the federation except government units are governed by a
29 voluntary board of directors which serves without compensation
30 for serving on the board.

1 2. The federation and each organization represented by the
2 federation shall not discriminate with respect to those classes
3 of people protected by law.

4 3. The federation and each organization represented by the
5 federation shall make available to the employee committee, the
6 council, and the county executive copies of its annual report
7 including its most recent financial statement, as well as a
8 disclosure for that period of the total dollar value of support
9 from all sources received on behalf of the charitable purposes of
10 the organization and the total amount of money applied to
11 charitable purposes, fund raising costs and other expenses.

12 4. Each federation and each organization represented by
13 the federation shall expend a minimum of seventy-five percent of
14 the monies raised from the combined fund drive for those
15 charitable purposes for which the money was solicited within
16 twelve months of receipt of the monies.

17 C. Payroll deductions authorized. Organizations conducting
18 campaigns pursuant to this ordinance and to the rules authorized
19 by this ordinance may solicit donations from county employees to
20 be made by payroll deductions. The county shall make deductions
21 from county employees' salary warrants and pay the moneys so
22 collected to the federations of charitable organizations
23 designated by county employees when such deductions and payments
24 are authorized by county employees pursuant to this ordinance and
25 rules herein authorized.

26 D. Use of county resources - prohibition. As provided in
27 RCW 41.06.250(1) and 42.17.130, county property, equipment, or
28 county employees' working time may not be used during a campaign
29 for partisan political purposes, to assist in an individual's
30 election to political office or for the promotion of or
31 opposition to any ballot proposition.
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7 employee shall be coerced to participate in any campaign
8 presentation or coerced to make any donation to a charitable
9 organizaion. No county employee shall be penalized for failing
10 to participate in a campaign or for failing to,make a donation to
11 a charitable organization.

12 SECTION 5. Any acts performed consistent with the authority
13 and prior to the effective date of this ordinance are hereby
14 ratified and confirmed.

15 SECTION 6. Severability. If any section, subsection,
16 subdivision, paragraph, sentence, clause, or phrase of this
17 chapter, or application thereof to any person or circumstance is
18 held invalid by any court of competent jurisdiction, such
19 decision shall not affect the validity, applicability, or
20 effectiveness of the remaining portions of this chapter, and to
21 this end the provisions of this chapter are declared to be
22 severable.

23 INTRODUCED AND READ for the first time this 31st day
24 of March, 1988.

25 PASSED this 5th day of July, 1988.

26 KING COUNTY COUNCIL
27 KING COUNTY, WASHINGTON

28 Sary Grant
29 Chair

30 ATTEST:

31 Ronald G. Peterson
32 Deputy Clerk of the Council

33 APPROVED this 15th day of July, 1988.

Vetoed

David Zell
King County Executive

OVERRIDEN BY A VOTE of 6-3 on this 25th day of July, 1988.



**King County Executive
TIM HILL**

400 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-4040

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CLERK
KING COUNTY COUNCIL

July 15, 1988

The Honorable Gary Grant
Chair, King County Council
Room 402
C O U R T H O U S E

RE: Ordinance 8575

Dear Councilmember Grant:

After careful consideration, I have vetoed Ordinance 8575, relating to charitable giving by County employees through the employee deduction process. This letter explains my reasons for taking this action and proposes a cooperative effort to develop compromise legislation that will address our common interests.

At the Council's request, a King County Employee Charitable Giving Advisory Committee convened in December 1987, and met regularly for four months. After considerable thought based on an employee survey and extensive testimony from charitable organizations and County payroll staff, the Committee recommended against the adoption of many of the provisions contained in Ordinance 8575.

I recognize the Council's desire to expand the use of payroll deductions for charitable contributions. While I believe that the annual United Way campaign is the most efficient method for County employees to support charitable organizations, I am willing to work with the Council to develop legislation that will meet the policy objectives of the Council and address the following concerns I have regarding the mechanisms established in Ordinance 8575:

- The proposed Employee Charitable Campaign Committee is not structured to be representative of the County workforce;
- The reporting arrangement of the Committee lacks consistent and logical lines of authority and responsibility;
- The Committee's assigned task of developing rules and procedures is more appropriately the responsibility of the Executive branch;
- The Committee's expenditure and responsibility levels, including compensation for employee time and related travel, lodging, and meals, are not well defined.



The Honorable Gary Grant
July 15, 1988
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- The ordinance's administrative procedures would add considerable expense to the payroll deduction process and add significantly to the work of payroll clerks; and,
- The fiscal impact on the Office of Financial Management, and technical details relating to the payroll warrant itself, have not been examined.

Again, I recognize the Council's objectives in passing Ordinance 8575, and I am confident that we can work together to develop substitute legislation that will meet our common objectives. I have asked Leticia Macapinlac, Chief Financial Officer, to work with your staff to develop a new ordinance. Please call me if you have any questions or comments.

Sincerely,



Tim Hill
King County Executive

TR:rgd/137.1/FD

cc: King County Councilmembers
ATTN: Cal Hoggard, Program Director
Jerry Peterson, Administrator
Leticia Macapinlac, Chief Financial Officer
Jan Michels, Director, Department of Judicial Administration