

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



CO00023659

ORDINANCE NO. 92-066

AN ORDINANCE ADDING A NEW CHAPTER 3.33, CHARITABLE CONTRIBUTIONS FOR COUNTY EMPLOYEES, RELATING TO AND GOVERNING SOLICITATIONS FOR CHARITABLE CONTRIBUTIONS FROM COUNTY EMPLOYEES TO BE MADE BY PAYROLL DEDUCTIONS.

WHEREAS, Snohomish County employees have historically shown their commitment to help resolve the social needs of the community they serve; and

WHEREAS, Snohomish County recognizes the importance of programs and services provided to its citizens by charitable organizations and encourages support of those organizations; and

WHEREAS, Snohomish County employees should be provided the opportunity to strengthen their community by providing assistance to charitable organizations based on informed choices; and

WHEREAS, currently a single charitable organization has conducted a campaign for solicitations from county employees for contributions which the employees may make through payroll deduction; and

WHEREAS, other charitable organizations desire to participate in an annual campaign for such contributions;

WHEREAS, the County Council held a public hearing on _____, 1992, to consider the recommendation of Charitable Contributions for County Employees;

NOW, THEREFORE, BE IT ORDAINED:

New Section: Section 1. A new Chapter 3.33, Charitable Contributions for County Employees, is added to the Snohomish County Code as follows:

Chapter 3.33
CHARITABLE CONTRIBUTIONS FOR COUNTY EMPLOYEES

Sections:

- 3.33.010 Intent and purpose.
- 3.33.020 Definitions.
- 3.33.030 Employee charitable campaign committee established.
- 3.33.040 Campaign guidelines and requirements.
- 3.33.900 Severability.

3.33.010 Intent and purpose.

(1) The intent of this chapter is to provide 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.

(2) The purpose of this chapter is to:

- (a) Enhance county government and local communities in the meeting of human needs;
- (b) Provide a convenient channel through which county employees may contribute to the efforts of qualified agencies providing services in the community;
- (c) Minimize both the disruption to the county workplace and the costs to the taxpayer that multiple charitable fund drives may cause.
- (d) Ensure that recipient agencies are fiscally responsible in the uses of the monies raised.

3.33.020 Definitions. As used in this chapter, the following terms shall have the meanings set forth below unless the context clearly indicates otherwise:

(1) Campaign - the solicitation of contributions from county employees by a representative of the campaign manager on behalf of charitable organizations through oral presentations, printed materials, audio/video media or other similar means which occurs on county property during normal county business hours.

(2) Charitable organizations - an organization which has been in active existence at least three years and which is formally recognized by the United States Internal Revenue Code as complying with section 501(c)(3) of the Internal Revenue Code or is a governmental unit of the State of Washington. All contributions to the organization must be deductible for federal income tax purposes under Section 170 of the Internal Revenue Service Code of 1954 as demonstrated by receipt of an internal revenue service letter of determination granting tax deductible status to the charitable organization.

(3) Federation of charitable organizations - a group representing at least five charitable organizations which is organized to solicit and distribute contributions on behalf of its member charitable organizations.

3.33.030 Employee charitable campaign committee (ECCC) established.

(1) Composition. The executive shall designate a charitable campaign committee chair. The chair shall be responsible for all

aspects of the administration of the employee charitable campaign and the ECCC. An ECCC shall be established consisting of one employee from each of the county departments. The employees of each county department shall elect a representative to this committee for each calendar year.

(2) Functions. The County executive shall establish by executive order policy rules consistent with this chapter necessary to the conduct of charitable campaigns. The committee shall coordinate the charitable campaigns. Such coordination may include, but need not be limited to, determining which federations of charitable organizations may, consistent with this chapter and any policy rules adopted pursuant to it, participate in the county's charitable campaign and the dates by which applications must be filed for the annual drive. The executive and the council shall annually approve a contract for the campaign manager who shall be responsible for the administration of the campaign operation under the general oversight of the ECCC. Cost of the campaign manager shall be reimbursed out of the proceeds collected from the employee contributions. The total dollar amount reimbursed to the campaign manager shall be set in the contract.

(3) Compensation. Members of the committee shall serve voluntarily without additional salary. Employee members of the committee shall not receive additional compensation for working beyond normal working hours.

3.33.040 Campaign guidelines and requirements.

(1) Frequency. There shall be one annual charitable campaign for federations of charitable organizations as provided by this ordinance and in accordance with rules adopted pursuant to this ordinance. The executive shall designate the month in which the charitable campaign will be held.

(2) Eligibility for participation. A federation of charitable organizations shall be eligible to participate in the annual campaign if:

(a) The federation submits a timely application for participation to the committee to include as a minimum a certification signed by an authorized officer or employee of the federation which shall contain statements to the effect that:

(i) The charitable organization and the federation meet the standards established respectively in 3.33.020, Sections 2 and 3 of this ordinance.

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

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

(iv) The federation and each organization represented by the federation is registered with the Secretary of the State of Washington as provided by RCW 19.09.065 and is in

compliance with Washington laws governing charities to the best of the knowledge of the individual certifying the application.

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

(b) The federation and each organization represented by the federation shall not discriminate with respect to those classes of people protected by federal law.

(c) The federation and each organization represented by the federation shall make available to the ECCC, copies of its annual report including its most recent financial statement, as well as a disclosure for that period of the total dollar value of support from all sources received on behalf of the charitable purposes, fund raising costs and other expenses.

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

(e) Each federation and each organization represented by the federation shall have no more than 25% of their total budget used towards overhead costs.

(3) Payroll deductions authorized. Organizations conducting campaigns pursuant to this ordinance and to the rules authorized by this ordinance may solicit donations from county employees to be made by payroll deductions. The county shall make deductions from county employees' salary warrants and pay the monies so collected to the federations of charitable organizations as authorized by county employees pursuant to this chapter and rules herein authorized.

(4) Use of county resources - prohibition. As provided in RCW 41.06.250(1) and 42.17.130, county property, equipment, or county employees' working time may not be used during a campaign for partisan political purposes, to assist in an individual's election to political office or for the promotion of or opposition to any ballot proposition.

(5) Responsibility for promotional costs. All promotional costs associated with the campaign related to county employees shall be the responsibility of those organizations designated to participate in the distribution of the funds collected.

(6) Voluntary participation. County employees' participation in charitable campaigns shall be strictly voluntary. No county employee shall be coerced to participate in any campaign presentation or coerced to make any donation to a charitable organization. No county employee shall be penalized for failing to participate in a campaign or for failing to make a donation to a charitable organization.

3.33.900 Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter,

or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such decision shall not affect the validity, applicability, or effectiveness of the remaining portions of this chapter, and to this end the provisions of this chapter are declared to be severable.

PASSED this 1st day of July, 1992.

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

Liz M. Langley
Council Chairperson

ATTEST:

Barbara Sikorski
Asst. Clerk of the Council

- () APPROVED
() VETOED
() EMERGENCY

DATE: 7/11/92

ATTEST:

Hilda Colwell

Robert J. Drewel
Robert J. Drewel
County Executive

PUBLISHED _____ and _____.