

RECRUITING  
PROFESSIONALS

2/4

Lawrence

Bill Hodson  
Mike Miller  
Bill Ray  
Ken Katzen  
W. Charney

have been contacted about the  
State Affairs meeting today.

Enclosed is a revision of the Memo

Bruce

MEMORANDUM

Revised 2/3/82

TO: Senator Terry Stimson

FROM: Gordon Harrison

DATE January 26, 1982

SUBJECT: Recruiting Professionals from Administrative Agencies for  
Temporary Legislative Staff Assignments

Introduction

You requested that I inquire into the possibility of legislators recruiting temporary professional staff from the ranks of permanent administrative agency personnel, including University of Alaska faculty. If this were possible, it would greatly increase the pool from which legislators could seek staff with specific professional expertise.

Current state personnel rules permit this type of temporary staff re-assignment by means of a leave of absence. Thus, it seems that a formal legislative professional staff loan program within state government could be implemented with little more than publicity. Some kind of legislative action or amendment to the personnel rules would be required if the legislature wanted to fashion a program that does not fit entirely within the present rules.

Concept of a Legislative Professional Staff Loan Program

The purpose of this program would be to expand the pool of people from which legislators might seek professional staff for a specified, limited period of time. Presumably, the person hired would be given special assignments within the area of his or her expertise.

Leaves of absence would have to be negotiated on a case-by-case basis. The supervisor of someone who is interested in working temporarily with the legislature and who has a job offer may decide that the person cannot be spared from his or her present position. In cases where a leave is feasible, however, there are potential benefits to both the

Revised

Sen. Stimson  
p. 2  
rev. 2/2/82

agency and the legislature: employees of the former may gain perspective on the legislative process and legislators may acquire professional assistance as well as perspective on the administrative dimension of the laws they enact.

#### Leave of Absence

Personnel rule 10 07.0 states:

##### Leave of Absence to Accept an Exempt or Partially Exempt Appointment

An appointing authority may grant a leave of absence without pay to a permanent employee in the classified service to permit the employee to accept an appointive position in the exempt or partially exempt service. Such leaves shall be deemed to be in effect unless both the employee and the Director of Personnel receive written notice to the contrary prior to the employee leaving his classified position. If such authorized leave may be expected to have a duration in excess of six months, the vacancy created may be filled by a substitute appointment under Rule 5 05.0.

This rule was apparently intended to make it possible for administrators to accept positions within an administration (e.g. commissioner) without losing claim to their former jobs when the political appointment ends.

The person taking leave does so without pay and receives the pay and benefits of the new job.

#### Cost Implications

There are no cost implications of the proposed program because the legislature would pay the "loaned" person the existing scale for legislative staff work. No additional staff positions would need to be authorized.

Revised

Sen Stimson  
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rev. 2/2/82

#### Precedents for this Program

I do not know of instances of people taking leave from agency positions for work with the legislature, although there may well be some. (I did not research the question.) Certainly it does not appear to be a common occurrence, and I doubt that many legislators or state employees are aware of the opportunity created by the personnel rules.

According to Ms. Cindy Simmon, an expert on state legislative staffing with the National Council of State Legislatures, no other state has a formal program like the one proposed here.

I think the idea represents a significant legislative innovation, and if the program is adopted in some form I recommend that it be evaluated (frequency of use, areas of expertise involved, assessment of the value of the program by participants, etc.) so other states can benefit from Alaska's experience.



JUNEAU, ALASKA

# Alaska State Legislature

BLUE RIBBON COMMISSION ON THE  
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

*NATLEY*  
*ADP*  
Pouch YG  
Mail Stop 3123  
Juneau, Alaska 99811  
(907) 465-4442

February 8, 1982

TO: Senator Bill Ray, Chairman

FROM: Teresa B. Cramer *TCramer*  
Administrative Assistant

SUBJECT: Recruiting Professionals from the Executive  
Branch and the University for Legislative  
Assignments

The proposal is for a system to permit legislators to hire temporary professional staff from the Executive Branch and from the University of Alaska, particularly focused on persons with specific professional expertise. I spoke with the Personnel Officer for the University of Alaska, Juneau, and with the Director of the Division of Personnel for the Executive Branch. Both systems now permit employees to request leaves of absence for placements of this sort. No change in laws or regulations are needed before implementing this idea.

There are questions to be resolved before an employee of either system takes a leave of absence for a position with the Legislature. These are best resolved on a case-by-case basis. The questions involve the structuring of the relationship between the employee, his present employer, and the Legislature.

The first possibility is for individuals to remain employees of their current employer, retaining the salary, insurance coverage, retirement and leave benefits of their present position and accepting a temporary reassignment to the Legislature for the duration of the project. The Legislature would reimburse the employing agency for all the personnel costs during the reassignment period.

The second possibility is for the individual to take leave without pay from his or her present position and become a legislative employee, with the salary and benefits of that position. It might also be possible to blend these two alternatives so that an individual would accept the salary and leave benefits of legislative employment but retain employee status with the original employer for retirement and insurance purposes, for example. Each individual

Senator Bill Ray  
February 8, 1982  
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should consider what arrangement best provides for his or her own needs. This flexibility is desirable for the Legislature since by avoiding problems for the individuals, it may increase the pool of persons available to it.

Both agencies pointed out that it could be difficult for individuals to take leave from their current responsibilities during the legislative session. For the University, classroom assignments could preclude accepting short-term employment, although it is possible to hire substitute teachers if someone with the necessary skills is available. Since most of the University faculty members are on nine-month appointments, this problem would arise much less frequently if the proposal were for work during the summer. For the Executive Branch, persons with specific expertise may well be those people on whom the department and the Governor are relying to explain programs and proposals to the Legislature, making their replacement during the session much more difficult for the original employer. These difficulties would have to be addressed on a case-by-case basis.



# Alaska State Legislature

Room 103

## Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

### M E M O R A N D U M

TO: Senate State Affairs Committee Members  
FROM: Sen. Vic Fischer *Vic*  
DATE: Feb. 3, 1982  
RE: State Affairs Meeting Feb. 4

In lieu of the work session on SSSB 175 which was scheduled for Thursday, Feb. 4, we will take up recruiting professionals from administrative agencies for temporary legislative staff assignments as set out in the attached memo from Gordon Harrison to Sen. Terry Stimson.

*Sen. Ray:*

*Your comments on this concept would be appreciated*

MEMORANDUM

TO: Senator Terry Stimson

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## Concept of a Legislative Professional Staff Loan Program

The purpose of this program would be to expand the pool of people from which legislators might seek professional staff for a specified, limited period of time. Presumably, the person hired would be given special assignments within the area of his or her expertise.

Leaves of absence would have to be negotiated on a case-by-case basis. The supervisor of someone who is interested in working temporarily with the legislature and who has a job offer may decide that the person cannot be spared from his or her present position. In cases where a leave is feasible, however, there are potential benefits to both the

agency and the legislature: the former would gain perspective on the legislative process and the latter would acquire professional assistance as well as perspective on the administrative dimension of laws it enacts

### Leave of Absence

Personnel rule 1C 07.0 states:

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This rule was apparently intended to make it possible for administrators to accept exempt or partially exempt positions within an administration (e.g. commissioner, deputy commissioner) without losing claim to their former jobs when the political appointment ends.

The person taking leave does so without pay and receives the pay and benefits of the new job.

### Cost Implications

There are no cost implications of the proposed program if the legislature pays the "loaned" person the existing scale for legislative staff work. The question is whether professional agency personnel making a significantly higher amount would be willing to take a cut in pay, even for a 3- or 6-month period. Since the purpose of this program is to make the broadest range of state expertise available to the legislature, I think it would be wise to consider a means of paying higher level people a salary equivalent to the one they would be leaving. This could be done by a reimbursable services contract with the agency loaning the person, who would continue on the payroll of the agency, or by authorizing higher paying staff positions within the Legislative Affairs Agency. The first alternative may have a cost implication,

Sen. Stimson

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depending on the average salary of the people who take advantage of the program. The second alternative would require a larger appropriation to LAA by the amount and number of the higher salaries authorized.

#### Precedents for this Program

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