

April 13, 2011, Meeting Minutes
Holiday Inn, One South Grady Way, Renton

The meeting of the Washington Citizens' Commission on Salaries for Elected Officials was convened and brought to order by Dr. Ken Mortimer, Chair, at 6:00 p.m.

Roll Call of Commissioners

Commission Members Present:

- Michele Adams, Vice-Chair
- Rose Amurao
- James Barrier
- Sheila Chapman
- Matthew Clark
- Suzanne Dinning
- Elizabeth Heath
- Ned Lange
- Robert Mendez
- Kathe Morris
- Dr. Ken Mortimer, Chair

- Dick Walter
- Joy Yake

Commission Members Excused:

- Dale Carlisle
- Janet Hays
- Dean Nordstrom

Staff Present:

- Carol Sayer, Director
- Teri Wright, Executive Assistant

Meeting Opening Statement and Approval of the February 3 and 4, 2011 Minutes

Dr. Ken Mortimer, did not read the meeting opening statement because no members of the public were present. He then asked if everyone had received their copy of the February 3 and 4, 2011, meeting minutes and if so where there any changes. Matthew Clark found an error in his name spelling and asked that it be corrected. Ned Lange motioned to accept the meeting minutes with the correction. The motion was seconded by Dick Walter and carried by a unanimous voice vote.

Review Meeting Folder Items

Teri Wright explained that all the items on the right side of the meeting folders were additions to their 2011 Salary Setting Session binder. On the left side were the meeting agendas, contact information, as well as travel forms needed to submit for travel reimbursements.

Public Testimony

Dr. Mortimer read the procedure for public testimony and asked if anyone would like to testify.



Judge Ann Schindler, State Court of Appeals, thanked the Commission and said that she was here to answer any questions the Commission may have and to thank us for the work we do. No questions were asked of Judge Schindler.

Judge Richard McDermott, Presiding King County Superior Court Judge and representing the Superior Court Judges Association stated that they are aware of the dire financial circumstances the state is currently in and he is not before us to ask for a raise. However, he wanted to make us aware of a couple issues he sees. He stated that several judges are reaching the age of retirement in the next few years. He is concerned about attracting people to the bench and maintaining a high level of expertise. It is essential that they attract successful litigators to the bench. While right now is not the time, he asked the Commission to consider Judges salaries when money is available. Dr. Mortimer stated that he believed the Commission has and will continue to pay attention to the Judiciary as money is available. There was a conversation about what the Judiciary considers enough financially to attract qualified applicants and what part of that is a desire to be a judge and public servant. While Judge McDermott understands our comparison to the federal bench, he is concerned that it may not be a great comparison as the federal bench has been asking for salary increases for several years. Also, private litigators make \$300 to \$400 an hour, which he also knows is not a fair comparison. Judge McDermott requested that while salary should be considered, he knows that other factors, like being a public servant, are at play when someone decides to apply to be a judge.

Judge Judy Jasprica, Pierce County District Court and District and Municipal Court Judges Association, mentioned that we had received a letter from the Association and to ask if she could answer any questions for us. There being no questions, Dr. Mortimer reiterated that Commission takes the responsibility of setting salaries seriously and has an extensive study of judicial salaries.

Commission Work Session

Carol Sayer started the work session with talking about Commissioners and from where they are selected. She mentioned that this not a new issue and reminded the Commissioners to not use the word "represent" when refer to the congressional district or field from which they were selected.

The Commission was created to have a true citizen body that represents the entire State of Washington. It was never the intent that individual commissioners would represent specific constituencies.

Carol Sayer gave a history of the Willis System and the Commission's use of it. Here is a brief history and the Commission's use of it:

The Willis System:

- Developed in the late 1960's by Norman Willis.
- Has been used by the State of Washington since the mid 1970's.

- Based on research and statistical principles.
- Relative value of a position is determined by three compensable factors. Each represents an independent and measurable requirement or characteristic that is present in all jobs. The factors are:
 - Knowledge and skills required;
 - Mental demands; and
 - Accountability.
- Relative value levels for each factor are assigned specific points.
- The total points of a job determine its location in a pay schedule.
- The points don't determine a specific salary – rather, salary is market driven.

State law requires that we base salaries on realistic standards and set them according to the duties of the job. The very first Commission began using Willis in its salary setting work.

- A 1986 Department of Personnel (DOP) Willis study was used to set the salaries of the Executive Branch positions in for 1987 and 1988.
- 1989 – The Commission contracted with Mr. Willis to evaluate the position of legislator and to determine whether legislative leaders should receive additional money for their leadership duties.
- 1991 – Willis wasn't used as some commissioners felt the recommendations were too high.
- 1993 to 1998 – Salaries were frozen.
 - Executive branch salaries were frozen from 1993 through 1998.
 - Judges and legislators salaries were frozen from 1992 through 1994 and again in 1996 and 1998.
 - State employees received increases of 13% during this period.
- 1999—Commission had the difficult task of making significant salary adjustments to catch-up for the years that salaries were frozen.
- 2001 and 2003 – Commissioners became increasingly concerned about the lack of objective data in making salary decisions and returned to Willis.
- 2003 – DOP was asked to evaluate the Executive Branch positions and several equity adjustments were made to bring them into better alignment with the other Executive Branch positions.
- 2004 – Owen-Pottier Human Resource Consultants evaluated the judicial positions and the position of legislator. The legislative leadership stipend program was also evaluated to determine whether other leadership positions warranted the stipend. The existing stipend program was retained.
- 2005 – Commissioners concurred with the 2004 study and:
 - Benchmarked the position of legislator to Band 2 of the Exempt Management Service and retained the existing stipend program.

- Adopted a long-term strategy to move judges toward parity with the federal bench.
- 2007 – The Department of Personnel was asked to re-evaluate the Executive Branch positions because some positions had significant legislatively directed changes in responsibility. Also, the Insurance Commissioner requested that his position be reevaluated. The DOP study was done in consultation with Owen-Pottier and resulted in the Commission benchmarking the Executive Branch to the salaries of the appointed state agency heads.
- 2007 – Increases were granted to all positions to bring them better into parity with their benchmarks.
- 2009 – All salaries were frozen at 2008 levels due to budget and economic conditions and remain frozen.

Benefits of Willis:

- Has been used in state government for nearly 40 years.
- Provides continuity and consistency among appointed and elected executives in state government.
- Once the positions have been evaluated, no further evaluations are required unless the responsibilities increase significantly.

Carol Sayer gave a Legislation update. Our Legislation, HB 1008, which allows us to add a member from the new congressional district #10 and any district added in the future. It also broadens our selection base. The bill is very close to passing through the Legislature. Tom Huff has been instrumental in getting this legislation through the Legislature.

The only bills that are still alive to give the Commission the ability to reduce salaries are SSJR 8202 and its implementing legislation, SSB 5126. We will keep you posted on whether those bills pass the Legislature and go to a vote in November.

Teri Wright explained the other bills she is following and said that she would keep you posted as to what bills pass the Legislature and how they affect the Commission.

Teri Wright said that we have a budget for 2012 through 2013 and that it is very tight, but workable.

The Commission went in to Executive Session

The meeting was brought back to order. Dr. Ken Mortimer offered Teri Wright the position of Executive Director, effective July 1, 2011. She agreed to the appointment.

Dr. Mortimer asked that the conference call meeting date in June be set as soon as possible.

Carol Sayer said that she has loved working with the Commission and each Commissioner. She appreciates each Commissioner's commitment to the work we do. The meeting was adjourned at 8:00 p.m. with a motion by Ned Lange, seconded by Joy Yake and carried with a unanimous voice vote.

Kenneth P. Mortimer
Dr. Ken Mortimer, Chair

May 18, 2011
Date