

Legislative Management Committee Policy for the Legislative Intern Program

This policy of the Utah Legislature's Legislative Management Committee governs the legislative intern program, which is a long standing cooperative effort between the Legislature and the participating institutions of higher education.

1. General Provisions

1.1. Definitions.

1. As used in this policy:
 - a. "Intern" means an individual who:
 - i. is a student at a participating institution in any major, preferably a junior or senior;
 - ii. is selected and qualified by the participating institution;
 - iii. receives university credit from the participating institution for participating in the legislative intern program;
 - iv. is employed by OLRGC through the Intern Director; and
 - v. is an at-will employee of OLRGC assigned by the Intern Director to provide intern services for:
 - A. a legislator or group of legislators; and
 - B. a period of time that:
 - I. is subject to Subsection 3.2(3); and
 - II. includes an annual general session.
 - b. "Intern Director" means an employee of OLRGC appointed by the Director of OLRGC to manage the legislative intern program.
 - c. "Intern services" means the activities described as intern services in Section 2.4.
 - d. "Legislative intern program" means the program under which the OLRGC employs, on an at-will basis, interns selected and qualified by a participating institution.
 - e. "OLRGC" means the Office of Legislative Research and General Counsel.
 - f. "Participating institution" means:
 - i. Brigham Young University;
 - ii. Dixie State University
 - iii. Salt Lake Community College
 - iv. Southern Utah University;
 - v. University of Utah;
 - vi. Utah State University;
 - vii. Utah Valley University;
 - viii. Weber State University; and
 - ix. Westminster College.

1.2. Management of Legislative Intern Program in General.

1. Under the supervision of the Director of OLRGC and subject to this policy, the Intern Director may:
 - a. hire, terminate employment of, and direct the activities of an intern; and
 - b. otherwise manage the legislative intern program.
2. OLRGC may employ as an intern in the legislative intern program only an individual who meets the qualifications outlined in the definition of an intern under Section 1.1.

2. Employment Status of Interns

2.1 At-Will Status.

1. An intern is an at-will employee of OLRGC.
2. An intern is not guaranteed employment for a set time period and may be terminated at any time with or without prior notice, and with or without cause. The Intern Director shall specify the day on which:
 - a. an intern is hired by OLRGC as an intern; and
 - b. an individual is no longer employed by OLRGC as an intern.
3. An intern shall comply with state and federal laws by providing OLRGC necessary information for income tax withholding and other purposes, including:
 - a. providing OLRGC a completed IRS Form W-4; and
 - b.
 - i. completing the employee portion of the “Employment Eligibility Verification” form issued by the United States Department of Homeland Security, United States Citizenship and Immigration Services; and
 - ii. providing OLRGC the identification and documentation necessary for OLRGC to accurately complete its portion of the form described in Subsection (3)(b)(i).

2.2. Compensation and Benefits.

1. The Intern Director shall inform an intern of the minimum requirements that the intern must meet to be compensated for providing intern services under the legislative intern program.
2.
 - a. OLRGC shall pay an intern \$2,775 if the intern:
 - i. meets the requirements of this policy;
 - ii. completes the hour requirements of an intern as outlined in Subsection 2.3; and
 - iii. provides intern services meeting the requirements described in this Subsection 2.2 and Subsections 2.3 and 2.4.
 - b. OLRGC will pay the compensation through the Division of Finance in two payments beginning no sooner than the first complete pay period of the January in which the annual general session begins.
3. Although as an at-will employee in the legislative branch an intern is covered by certain laws such as workers' compensation, an intern is not eligible for state retirement or state

employee benefits, including health insurance, sick or annual leave, or compensatory time.

2.3. Hour Requirements of an Intern.

1. In general, an intern is expected to provide intern services on a full-time basis during the period of employment as an intern. Because of the dynamic nature of an annual general session, it is understood that an intern may not provide intern services a steady 40-hours each week, except that:
 - a. an intern is anticipated to average no more than 40 hours per week for an 8-week period;
 - b. at least 6 of the possible 9 weeks of intern services is required to be fulfilled during the annual general session; and
 - c. during the annual general session and subject to coordination with each legislator to whom the intern is assigned, an intern is expected to generally:
 - i. be on Capitol Hill by no later than 8:00 a.m. each working day of the session; and
 - ii. remain on Capitol Hill each working day of the session until the later of:
 - A. 5:00 p.m.; or
 - B. when the Legislature is no longer on the floor or in an official meeting in which the legislator participates.
2. Legislative leadership may approve earlier start dates for interns for members of the respective caucuses as needed and requested.

2.4. Intern Services – Prohibited Activities.

1. The action of an intern is considered an intern service and in the course and scope of the intern's employment duties only if that intern performs the action:
 - a. consistent with OLRGC practices;
 - b. at the direction of the Intern Director or a legislator to whom an intern is assigned; and
 - c. primarily on Capitol Hill.
2. An intern is not considered to be providing an intern service if an action is part of an effort to support or oppose:
 - a. the election of a candidate for political or public office; or
 - b. a particular political party in an election.
3.
 - a. An intern may not:
 - i. engage in an outside activity during the same hours that the intern is scheduled to provide intern services;
 - ii. disclose information acquired as part of employment for a purpose other than providing intern services;
 - iii. purport to represent OLRGC, the Legislature, a legislator, or a state government entity while performing an action not directly within the intern's responsibility to provide intern services; or
 - iv. speak with a media representative, unless directed to do so by:
 - A. a legislator to whom the intern is assigned; or

- B. the House or Senate political caucus media representative.
- b. The prohibition of Subsection (3)(a) includes prohibiting an intern from taking an action to support or oppose a legislative act, except:
 - i. in a manner consistent with OLRGC practices or directives; and
 - ii. as directed by a legislator to whom the intern is assigned.
- 4. Employment with OLRGC is to be the principle vocation of an intern while the intern is employed by OLRGC. If an intern intends to participate in other employment or educational activities while employed by OLRGC, it is the responsibility of the intern to:
 - a. ensure that a conflict of interest does not exist;
 - b. notify each legislator to whom the intern is assigned; and
 - c. notify and receive the approval of the Intern Director.

3. Selection of Interns

3.1. Participating Institutions.

The Intern Director shall work with a participating institution so that the participating institution:

- 1. ensures that an intern selected and qualified by the participating institution is academically qualified for the position; and
- 2. provides a faculty advisor to all interns who participate in the legislative intern program for university credit at the participating institution.

3.2. Intern Director.

- 1. Before each annual general session the Intern Director shall determine the approximate number of hours each legislator intends to use intern services during the upcoming annual general session.
- 2. The Intern Director may hire up to 93 interns from the pool of students selected and qualified by the participating institutions to meet the demand for intern services. Of these interns up to 29 are dedicated to the senate so that each senator has a personal intern.
- 3. The Intern Director may not hire an intern for:
 - a. a period longer than 9 weeks or more than one annual general session.

4. Assignment of Interns

4.1. Assignment in General.

The Intern Director shall assign interns to legislators based on the following factors:

- 1. legislator preference;
- 2. an intern's preference to be assigned to a particular house or political party; and
- 3. an intern's demonstrated academic interest or skill in a particular subject area or issue.

4.2. Assignment of Full-Time Intern.

- 1. A legislator may be assigned a full-time intern if:
 - a. the legislator is:
 - i. a member of the Legislative Management Committee;
 - ii. a chair of the House Rules Committee;

- iii. a chair of the Senate Rules Committee; or iv. a chair of the Executive Appropriations Committee; or
- b.
 - i. the legislator has demonstrated an ability to keep an intern occupied for at least 40 hours a week; and
 - ii. there is a sufficient number of interns to meet each legislator's demand for intern services.
- 2. If there is an insufficient number of interns to meet every legislator's demand, the Intern Director shall assign the available interns to legislators based on the requesting legislator's seniority in the Legislature.
- 3. A legislator described in Subsection (1)(a) may coordinate with the Intern Director to interview and select the legislator's intern from the pool of interns provided by the participating institutions.

4.3. Sharing of Interns.

- 1. In making intern assignments, the Intern Director shall assign legislators to share intern services based on the following factors:
 - a. legislator preference;
 - b. whether the legislators who share intern services are members of the same house and political party; and
 - c. the total number of approximate hours requested by legislators who share intern services.
- 2. Legislators that share intern services shall cooperate with the Intern Director so that typically the shared intern provides intern services of approximately 35 to 50 hours per week.

5. Miscellaneous

5.1. Intern Training.

- 1. The Intern Director shall provide an intern orientation before each annual general session at which interns are instructed in the limited scope and nature of the interns' employment as at-will employees of OLRGC.
- 2. The Intern Director shall ensure that an intern receives:
 - a. instruction on legislative protocol, including dress standards and etiquette;
 - b. instruction on how to interact with pages, secretaries, Sergeant-at-Arms, professional legislative staff, lobbyists, and the press;
 - c. an overview of the legislative rules and procedures governing committee hearings, floor debates, amendments, substitutes, and the passage of legislation;
 - d. instruction on unlawful harassment policies; and
 - e. computer training on the Legislature's web page and specialized programs used by the Legislature to track, place on committee agendas, and calendar legislation.

5.2. Intern Access.

The Intern Director shall ensure that each intern receives:

1. a network identification and password; and
2. a photo identification badge.