



Advocacy Toolkit for ASTD Chapter Leaders

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ADVOCACY TOOLKIT FOR ASTD CHAPTER LEADERS

This toolkit is designed to provide an overview of the legislative process, tips on how to communicate effectively with policymakers, and sample documents and tools to assist chapters in playing an advocacy role. Included are sections on:

- I. ASTD Chapters and Public Policy
- II. How Should our Chapter Get Started?
- III. How a Bill Becomes Law
- IV. Communicating With Policymakers
- V. Tracking Legislation Online
- VI. Sample Advocacy Letter
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I. ASTD Chapters and Public Policy

Public policy impacts ASTD chapters, workplace learning and performance (WLP) professionals, and their companies. ASTD chapters should consider an advocacy role because decisions made at the federal, state, and local level can impact the profession and your members' organizations.

The real work of advocacy involves educating policymakers on what workplace learning and performance is, and how it helps organizations to grow and succeed. Developing relationships with and educating policymakers allows them to make informed decisions about training and development issues.

II. How Should Our Chapter Get Started?

Policy Committees

Not all chapters—and certainly not all chapter members—will wish to participate in the public policy process. For chapters that do wish to become involved in advocacy, it is recommended that a policy committee be formed.

The committee would be responsible for:

- Tracking and analyzing proposed laws and regulations
- Deciding whether to act on legislation
- Developing a chapter position
- Recommending the position for a vote by the chapter
- Developing and implementing an advocacy campaign
- Evaluating results and lessons learned at the conclusion of the advocacy campaign.

Policy committees do not have to be large, but they should be representative of the make-up of the chapter and comprised of individuals who are willing to commit their time and energy. Advocacy can be time-consuming.



Advocacy Campaigns

Whether related to a specific piece of legislation or simply designed to build awareness about workplace learning and performance, all planning for advocacy campaigns should start by answering the following questions:

- What is the chapter's message on this issue—do we support it, or do we wish to suggest an alternative approach?
- Who will communicate our message to policymakers—which chapter members are authorized to speak for the chapter?
- How will we communicate our message—will we request a meeting, make phone calls, or send letters/emails, or will we do a combination of all three?
- When will we communicate our message—and when will we stop?
- How will we know if we've been successful?

Answering these questions before beginning an advocacy campaign will go a long way towards ensuring a successful outcome.

Developing Your Message

There's an old saying that "there are two sides to every story." In public policy, that is often an understatement. Policy decisions frequently impact numerous groups, and each of those groups will have a different take on how the policy should be implemented. ASTD chapters must analyze each issue carefully and decide whether the voice of the workplace learning and performance community would add to the debate.

When evaluating an issue, the policy committee needs to consider the following:

- Does this issue impact chapter members *in their capacity as workplace learning and performance professionals*? There may be policy issues that impact every member of a community or state, but it is generally not appropriate for professional organizations to develop positions on issues that are not germane to the profession or the chapter itself. Chapter members may always engage in political activities on their own, but should do so as individuals rather than as representatives of the chapter.
- Does it impact enough members to warrant a chapter position on the issue? If the issue is of interest to only a small subset of members, it is probably not appropriate to develop a chapter position, although those members may wish to engage in advocacy on their own.
- Are chapter members in agreement on the issue? While support for a policy position need not be unanimous, it is important to consider competing viewpoints within the chapter, and whether developing a position would alienate individual members.

If the answer to the questions above is yes, the policy committee should develop a position on the issue. A position clearly articulates either support for the issue under consideration or substantive alternatives to the proposed policy. The position should be well-reasoned, with supporting arguments and evidence, where appropriate.

Once the position is developed, it is wise to submit it for approval. Different chapters will adopt different approaches to the approval process. Some may wish to hold a vote of the whole chapter, while others might require approval only from chapter officers. In any event, the policy committee should use this



process to get buy-in from the chapter as a whole and to allow dissenting viewpoints or alternative ideas to be considered.

Building the Advocacy Plan

Once the chapter has taken a position on an issue, the next step is for the policy committee to develop and implement an advocacy plan. Questions to be considered are:

- What is the goal of the advocacy plan? This can range from simply educating policymakers on an issue to actively working to pass or defeat pending legislation. Setting a goal allows the chapter to define the steps required and determine what constitutes success.
- What is the timeframe? If the goal is supporting or opposing active legislation, the timeframe may be quite short—the campaign will last until a vote is taken or a decision is made. If the goal is simply building awareness or educating policymakers, the advocacy plan might be open-ended and communication can occur at any time.
- Who are the decision makers? Who has a vote on whether or not the law is passed or the policy is implemented? A successful advocacy plan will be narrowly targeted to influencing those who will ultimately have a say in the matter.
- What is the best way to communicate with the decision makers? If the policymaker is located on the other side of the country, a phone call or email may be the best way to communicate your position. If they are local, a personal visit may be your best bet.
- Who will communicate the chapter's position? This can be a tricky question. Sometimes it is best for the chapter to designate one board member to communicate with an appropriate representative (i.e. a chapter president, or the head of the policy committee). On the other hand, a multitude of voices on a particular issue indicates that the position is shared by many, which can have weight in the decision making process. As a general rule, education and awareness lends itself to a single voice, while pending legislative action is often amenable to the broader approach.

Once the plan is agreed upon, the policy committee should take the lead in implementation. This toolkit contains several examples of tools that can be used in implementing the plan, including a sample letter, sample talking points, and lobbying guidelines. The policy committee should regularly evaluate progress towards the goals of the advocacy plan and make adjustments as necessary. Once the advocacy plan or campaign is completed, it is useful to meet and discuss lessons learned.

III. How a Bill Becomes Law

Note: For purposes of sections III, IV, and V of this guide, the examples and processes discussed will focus on the federal government. In general, the processes are similar to those on the state or local level, but chapters should familiarize themselves with the relevant processes when developing advocacy plans.

When communicating with Congress, it is important to know how the legislative process works. While the process can seem very complicated, it's actually fairly simple.

Bills can be introduced in either the Senate or House of Representatives. Upon being introduced, the bill is given a number (S.123 or H.R. 123), and then is usually referred to one or more committees.

Committees must examine the legislation and vote on it before sending to either the full House or full Senate. This is a critical time to weigh in with legislators. Because committees often receive many more bills than they have time to evaluate, the decision of whether to move a bill can often be driven by citizen comments. If your Senator or Representative serves on the relevant committee, you may contact them



and urge them to consider the bill in committee. If they do not serve on that particular committee, you may still wish to contact your representative and ask them to communicate your views to the committee.

Once a bill has been “reported” or passed by the committee(s), it must then be voted on by the full House or Senate. This is also a good time to contact your Congressional members to let them know how you would like them to vote on the legislation.

In order for bills to become laws, they must pass both the House and Senate in identical form. If both bodies pass legislation that is similar, but not identical, they may go to a conference committee, where representatives from both the House and Senate meet to resolve their differences and draft a final bill.

Once the bill has been passed by both houses, the bill is sent to the President for his/her signature. Once signed, the bill becomes law.

IV. Communicating with Policymakers

Here's how to communicate effectively with members of the U.S. Congress:

Email

Because of recent threats of anthrax in mail, emailed letters are now the most popular choice of communication with a congressional office. Despite the large volume of mail these offices receive, legislators and their staff do read their email. When emailing a Congressional office, be sure to:

- Provide a bill number/name if possible in the subject line.
- Keep your letter brief and to the point.
- Identify the issue you are writing about and refer to specific bills by number.
- State clearly your reason for writing, and explain what you want your legislator to do.
- Draw on your own personal experience, describing what effect the legislation will have on you, your community, or your industry.
- Use constructive arguments, supported by facts. If you oppose an issue, offer alternatives. If you have additional information, offer to send it. Offering expert, supportive material will help your legislator lobby other members of Congress on your view.
- Be sure to email a letter of thanks or support when the legislator follows your recommendation. Doing so can foster good will, should you write another letter asking for help in the future.

A sample advocacy letter is provided later in this toolkit.

Here are the proper formats for sending correspondence to your representative or senator:

The Honorable (full name)
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative (last name):

The Honorable (full name)
U.S. Senate
Washington, D.C. 20510

Dear Senator (last name):



Each legislator has a website and provides an address to which you can send email. For members of Congress, go to <http://www.house.gov> and, at the prompt, click on your representative. For your senators, go to <http://www.senate.gov>.

Phone Calls

When time is short and you need fast action, a phone call is probably the best way to make your views known to your legislator. Before you call, write down the key points you want to make. Don't be disappointed if you can't talk directly to your legislator. Congressional staff members are important players in the legislative process. As the gateways to members of Congress, they're responsible for briefing members on issues and for relaying constituents' views. When you call, identify yourself; state the bill number, title; or issue you're calling about; and briefly explain your support or opposition. Ask for a written response that explains the legislator's position. If you're unable to reach your legislator or a staff person directly, send a fax or email outlining your position.

Personal Visits

Many elected officials welcome personal visits with their constituents, although it's not always possible. If you want to meet with your legislator, find out when he or she is available in the district or Washington office. Because of the unpredictable congressional voting schedule, it is preferable to arrange a meeting in your legislator's district office. It's best to make an appointment as far in advance as possible by phone or letter. State your reason for wanting to meet with the legislator and how long you want to meet. It's easier for staff to arrange a meeting if they know what you intend to discuss and what your relationship is to the area or interests represented by the legislator. Again, do not be surprised or disappointed if you meet with a staff person. In preparing for your meeting, familiarize yourself with the issue that you are supporting or opposing. Develop clear, succinct points. It's helpful if you have a briefing paper to leave behind. It should include a summary of the issue at hand. Demonstrate the connection between what you are requesting and the interests of the legislator's constituency as a whole. Describe how you or your group can help the legislator in this matter. Follow up on your meeting with a letter reiterating your position and thanking the legislator or staff person for his or her time.

It's a myth that successful lobbying implies influence; the most effective professional lobbyists trade facts and expertise. What citizen lobbyists may lack in experience and contacts, they can make up for in knowledge and research. The most effective lobbying approach is the least overt—the simple presentation of accurate information by ordinary citizens.

Sample talking points are provided later in this toolkit. For phone calls and personal visits, it is useful to develop short talking points to ensure that you communicate the most important parts of your message.

Communicating with the Executive Branch

Communications with federal agency officials follow the same general principles described in **Communicating with Members of Congress**: know your facts, be brief, refer to specific legislation (if applicable), and state how federal legislation or other federal action will affect you and/or your organization or community.

If writing a letter to a member of the President's Cabinet (Secretary of Education, Secretary of Labor, Secretary of Commerce, etc.), the proper form of address is:

The Honorable [full name]
Secretary of _____
U.S. Department of _____



Dear Secretary [last name]

Communicating with Your Governor and State Legislators

The structure of your state government and the specifics of the process by which legislation moves through your state legislature will differ somewhat from the federal structure and process. You can still follow the same general principles outlined in **Communicating with Members of Congress**: know your facts, be brief, refer to specific state-level legislation (if applicable), and describe how the legislation or other state action will affect you and/or your organization or community. The proper form of address for writing to your Governor is:

The Honorable (full name)
Governor
State [or Commonwealth] of _____

Dear Governor (last name):

To obtain addresses and phone numbers for additional state and local elected officials, contact your local Board of Elections or the clerk's office for your city, town, or county.

V. Tracking Legislation Online

There are several online tools that can be useful in tracking legislation:

www.thomas.gov – Thomas.gov is the government's online legislative service, providing information about bills introduced in both the current and past Congresses. Users can search legislation by keyword or sponsor, search public laws, and obtain other information about the legislative process.

www.house.gov – The official website of the House of Representatives. Users will find links to websites for individual members and committees, schedules of floor activity and committee hearings, and information about the legislative process.

www.senate.gov – The official website of the Senate. Users will find links to websites for individual members and committees, schedules of floor activity and committee hearings, and information about the legislative process.

www.ncsl.org – The website for the National Conference of State Legislatures, a bipartisan organization that provides information on state legislative activities and provides training and other assistance to state legislators and their staff.

State legislative sites: State legislatures maintain their own websites, which provide information on the legislative calendar, contact information for representatives, and current legislation. For chapters seeking to involve themselves on a state level, these sites are an excellent starting point for identifying issues and decision makers.

<http://www.astd.org/ASTD/aboutus/publicPolicy/> - Website for the ASTD Policy and Public Leadership Department. Provides information about federal legislation, policy, and programs that impact the workplace learning and performance profession.



VI. Sample Advocacy Letter

Dear Senator/ Representative _____:

ASTD—The American Society for Training & Development—commends the U.S. Congress for introducing legislative proposals focusing on the competitiveness of U.S. organizations and the workforce, such as S. 2197-99, Protect America’s Competitive Edge (PACE) Act, and S. 2109, the National Innovation Act. Congress needs to provide the type of investment laid out in these bills to ensure that America keeps its rightful place as the scientific, technological, and innovation leader of the world. However, if Congress truly hopes to help American businesses remain competitive, then it must broaden its effort to include other areas besides math and science.

As the world’s largest association dedicated to training, workplace learning, and performance professionals, ASTD is acutely aware that a critical issue facing organizations today is developing the knowledge and capabilities of their workforce so that they remain competitive in today’s global economy. Our 70,000 members and associates work in multinational corporations, medium-sized and small businesses, government, academia, and consulting firms, and are well-positioned to lend their expertise to the national discussion on the important connection between a highly skilled workforce and organizational and economic growth—competitiveness.

As a result, we believe that any legislation considered to help U.S. companies remain competitive in today’s global economy must include the following:

1. In focusing resources and attention on better educating America’s future workforce—mainly through investing in science and math programs—please don’t neglect the need to train the current U.S. workforce. While it is important to invest in America’s future, Congress needs to find solutions NOW for skills gaps, or the mismatch between employees’ existing skills and those needed to help companies grow and remain competitive.

Part of the solution could be to increase investments for training U.S. workers through existing workforce programs—and tie the training directly to the businesses needing the trained workers.

2. While ASTD recognizes the need to bolster the math and science skills of U.S. students and workers, *focusing narrowly on these subjects will not enable companies to remain competitive in today’s global economy.* As you can see from the attached article, based on a poll of our members, organizations face acute skills gaps in leadership, middle/upper management, communication/interpersonal skills, and process/project management skills. All these skills are crucial to America’s competitiveness. A more flexible approach that could include resources to help organizations resolve *any* skills gaps they face would more effectively ensure that the U.S. remains the leader in the global economy.

Please keep these points in mind as you consider competitiveness legislation. We all need America to continue to be the leader in innovation and technology, and to provide high-wage, high-skilled jobs to American workers. Those of us tasked with ensuring that organizations have sufficient employees with the correct skills urge Congress to keep in mind workers already in the workplace when drafting competitiveness proposals.

Please feel free to call me for further information, and thank you for your attention to this matter.

Sincerely,



VII. Sample Talking Points

ASTD has produced a white paper entitled “Bridging the Skills Gap.” The paper is designed to help business leaders, learning professionals, and policy makers understand how to close skills gaps.

What is a skills gap?

- A significant gap between an organization’s skill needs and the current capabilities of its workforce.
- When an organization cannot grow and/or remain competitive because its employees do not have the right skills to drive business results.

The federal Workforce Investment Act (WIA) serves as the nation’s primary law for adult, youth, and dislocated worker job training.

- Congress provides annual appropriations to fund worker training on the national level, which are then apportioned by formula to the states.
- The states are responsible for deciding how their portion of the money will be spent—what kinds of training will be supported—working in conjunction with local workforce investment boards.

Why TRAIN?

- Technology and information skills are increasingly important for driving innovation and enhancing U.S. competitiveness.
- The rapid pace of technological change means that technological knowledge becomes obsolete far more rapidly than in the past, creating skills gaps.
- The research and development (R&D) tax credit has driven substantial investments in innovation by U.S. organizations.
- It is not enough to develop new technologies—U.S. workers must be able to understand and apply these technologies to remain competitive.
- Training is the key to ensuring that U.S. workers remain on the cutting edge.
- Despite this, there are currently no incentives in the federal tax code for employers to invest in training their workforce.

The TRAIN Act (H.R. 244), introduced by Rep. Jerry Weller (R/IL), provides a credit for employers who invest in information and communications technology training for their workforce.

- The credit is equal to 50 percent of expenses incurred by the employer for training, up to \$4,000 per year [\$5,000 for certain groups].
- This would offer a powerful incentive for employers to invest in their most valuable resource: their employees.
- We ask that you (co-sponsor/support) the TRAIN Act.



ASTD Policy and Public Leadership Lobbying Guidelines for Chapter Leaders

I. Introduction

From time to time, chapter leaders have inquired whether they may engage in lobbying or political activities on behalf of their organizations. Many are under the impression that they are absolutely prohibited from such activities. The truth of the matter is that, while generally prohibited from engaging in *political* activities, organizations like ASTD and its chapters are permitted to engage in some *lobbying* activity without jeopardizing their tax-exempt status.

This brief summary explains the basics regarding lobbying and political activities for tax-exempt 501(c)(3) organizations. This summary provides only a general outline of the law as it applies to 501(c)(3) nonprofit organizations, and is not intended to serve as legal advice with regard to any particular set of facts. If you have questions regarding a specific situation, it is strongly recommended that you consult ASTD headquarters staff and/or legal counsel.

II. Lobbying

What does the tax code say about 501(c)(3) organization lobbying?

The Internal Revenue Code states that 501(c)(3) organizations like ASTD may engage in lobbying activities, as long as such activities are not substantial. Of course, defining what is “lobbying” and determining what constitutes a “substantial” amount of lobbying are very subjective endeavors. Recognizing that, the tax code allows 501(c)(3) organizations to elect to be covered under an objective test for determining whether they are engaging in too much lobbying (the “501(h) Election”). For those 501(c)(3) organizations that have made the 501(h) Election (like ASTD), the tax code limits total lobbying expenditures to a percentage of overall exempt-purpose expenditures. For smaller organizations, that limit is generally 20 percent; larger organizations have smaller percentage-based limits under the law. The definitions and other tax code provisions relevant to the election also can serve as a helpful guidepost to 501(c)(3) organizations that have not made the election.

If your chapter anticipates engaging in significant lobbying activity, please contact your ASTD chapter coach or ASTD’s policy department. You may also wish to consult with counsel and/or your tax professional to determine whether the 501(h) Election is appropriate.

What is lobbying?

Very broadly, the tax code defines lobbying as communications made with the intent of influencing legislation. There are subcategories contained in the code for direct and grassroots lobbying. In general, direct lobbying involves the communication with members or employees of legislative bodies (e.g., Congress), or with any government official or employee who may participate in the formulation of the legislation. Grassroots lobbying is defined as an attempt to influence legislation through an attempt to affect the opinions of the general public or any segment thereof. For membership organizations like ASTD and its chapters, communications urging members to contact members of Congress or other legislators in support of or in opposition to legislation generally are considered direct lobbying communications.

For organizations that have made the 501(h) Election, expenditures made for direct lobbying and grassroots lobbying (including, for example, expenditures involved in paying staff to create and



disseminate “issue papers”) are counted separately for purposes of determining whether such organizations are engaging in permissible levels of lobbying.

What is legislation?

The term “legislation” includes action with respect to acts, bills, resolutions, or similar items by the Congress, any state legislature, any local council, or by the public in a referendum, initiative, constitutional amendment, or similar procedure.

III. Political Activity

Organizations designated as 501(c)(3) receive favorable tax status because they act in the public interest in a non-partisan fashion. As a result, 501(c)(3) organizations are prohibited from participating or intervening in any political campaign on behalf of, or in opposition to, any candidate for any elective office.

Do not let the prohibition on political campaign activity lead you to conclude that you are forbidden from engaging with elected leaders. Chapter leaders may continue to interact with public officials, but need to be aware of the restrictions below when a campaign is underway. This means you can meet with public officials to discuss policies and invite them to speak at meetings.

Use your best judgment on whether a campaign is underway. If there’s any doubt, consult legal counsel.

What activities are prohibited?

Organization designated as 501(c)(3) (and individuals acting on behalf of 501(c)(3) organizations) may not:

- directly or indirectly endorse candidates
- make public statements in support of or against a candidate for elected office
- make financial contributions to political campaigns
- distribute statements of other organizations that support or oppose candidates
- allow candidates to use the organization’s assets or facilities, unless the same opportunity is afforded other candidates.

Violation of these restrictions could result in revocation of tax-exempt status.

Can a chapter leader/director/officer engage in political activity as an individual?

Chapter leaders are free to participate in the political process on their own behalf, although they may not make partisan comments in official publications or at official events of the chapter. A chapter leader who chooses to make partisan comments in another forum should indicate that he/she is speaking in his/her individual capacity rather than as a representative of the organization.

May our chapter invite candidates to speak at official events during political campaigns?

Chapter leaders may invite candidates to speak at official events, even during political campaigns, but leaders *must* provide an equal opportunity for other candidates seeking the same office, and must refrain from indicating support for or opposition to any candidate during the appearance or in communications regarding the event.



May chapter leaders meet with candidates during a campaign?

It is permissible to inform candidates of an organization's positions on the issues, as long as the rules above are observed.

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If you have any questions whatsoever regarding whether or not to engage in a particular activity, contact your chapter coach or the ASTD Policy and Public Leadership Department, or your own legal counsel.