

Fact Sheet

LB&FC Report on a Study of Civil Service Reform

Senate Resolution 14 of 1997 called for the LB&FC to study the Commonwealth's personnel system, particularly those aspects related to hiring, promoting, and terminating employees, and to make recommendations as appropriate. The study focuses on the 79,600 civil service and noncivil service employees in the 34 agencies under the Governor's personnel control. We found:

Civil Service Positions Are Generally Filled in a Timely Manner (pp. 13-16). Of the 1,135 civil service appointments made during the first 3 months of 1997, 36% were made within 30 days of an agency requesting a list of eligible candidates and 92% were made within 3 months. When problems do occur, it is usually because a certification list contains no candidates (occurs primarily with technical positions) or because the agency is not satisfied with the quality of the candidates on the list.

Managers Often Have Little or No Choice in Whom They Can Hire and Promote (pp. 17-27). For civil service positions, which account for 71% of positions under the Governor's personnel control, the Rule of Three and veterans' preference work together to severely limit the number of candidates an agency can consider when hiring. Managers also often have little or no discretion in promotion decisions because of seniority provisions in collective bargaining agreements or because the employee they would like to promote is in a noncivil service job and therefore difficult or impossible to promote to a civil service position.

Substantial Documentation Is Required to Terminate a Commonwealth Employee (pp. 28-36). As an example, the termination procedures in the Department of Corrections are 17 steps long and require extensive documentation. Such procedures can discourage managers from initiating a termination action. Others see the problem as a lack of supervisory initiative rather than overly burdensome procedures.

The Personnel System Is Duplicative and Unnecessarily Complex (pp. 37-44). The state's personnel system, which is largely the result of historical circumstances and political compromises dating to the 1930s, is inconsistent, inefficient, and duplicative. Problems include: having to maintain separate but interrelated personnel systems for civil service and noncivil service employees; the same positions may be civil service in one agency but noncivil service in another; difficulty in promoting or transferring a noncivil service employee to a civil service position; and union agreements, which cover about 85% of state employees, largely duplicate civil service protections.

Excessive Delays in Civil Service Commission Appeal Decisions (pp. 45-51). Over the past 4 years the average length of time the Commission takes to adjudicate appeals has increased from 10.4 months to 16.6 months. During this period, the number of appeals filed has also increased, from 558 in FY1993-94 to 747 in FY1996-97. The Commission has hired 2 hearing examiners and taken other steps to reduce these delays.

Civil Service Reforms in the Federal Government and Other States (pp. 61-68). The Federal Government and several states have taken steps to revamp their civil service systems to give agencies and line managers more authority to manage the human resource function. Georgia has essentially abolished its civil service system; other states have undertaken more incremental reforms.

Key Recommendations (pp. S-6 - S-10): We recommend the General Assembly:

- Establish the Office of Administration in statute and give it responsibility to administer the Commonwealth's personnel system.
- Replace the Civil Service Commission with an independent, quasi-judicial Merit System Hearing Board.
- Establish a single merit-based personnel system covering virtually all nonpolicy-making employees. Under this system, the Civil Service Commission's administrative functions (primarily test development and administration) would be transferred to the Office of Administration.
- Allow agencies greater discretion in hiring and promotion decisions by limiting veterans' preference and expanding the Rule of Three.