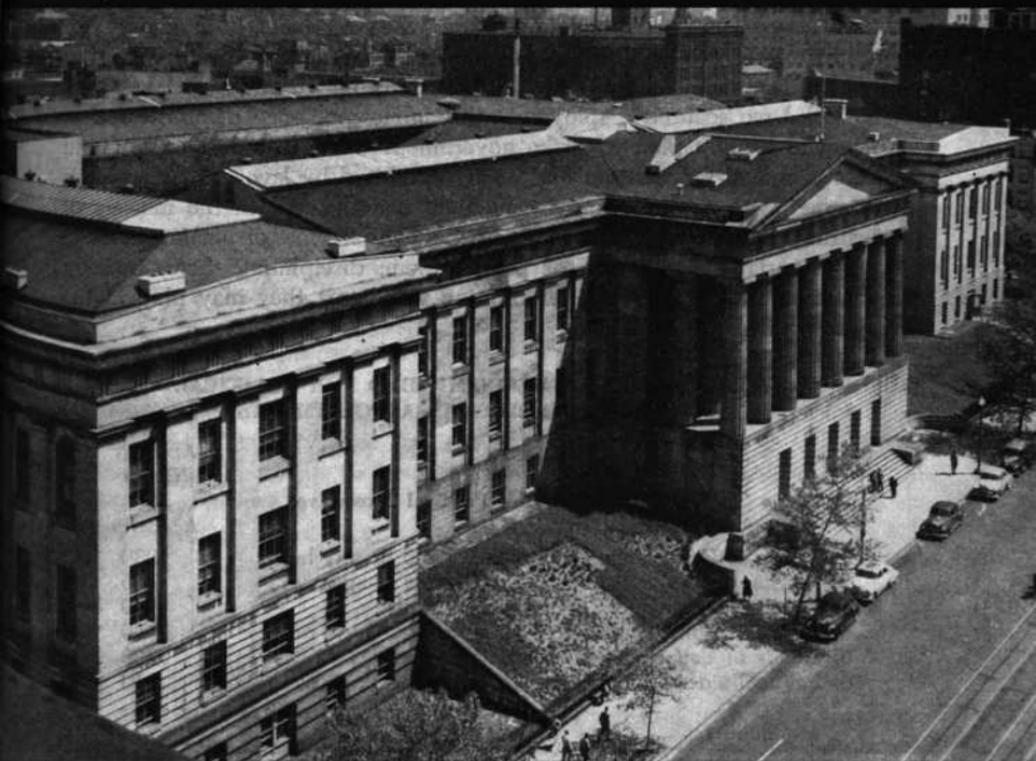


## 32. The Civil Service



U.S.C.S. Commission

**T**HE civil service consists of the men and women who work for the administrative branch of the government. That is to say, it includes the employees of the Departments, the non-departmental executive agencies, and the commissions, from the chiefs at the top to the individual clerks and mechanics at the bottom. All persons on the payroll of the federal government, except those in military uniform and the relatively few who are employed by Congress and the federal courts, regardless of the means by which they obtained their positions are considered members of the civil service.

It must be pointed out at the very first that the federal civil service can be divided into two main classes, and that one of these classes falls into two subclasses. The smaller of the two main classes comprises what might be called the "political" personnel of the government, or the personnel in charge of framing policy—the chiefs of the Departments, agencies, and commissions. The larger of the two main classes includes the "non-political," or "policy-obeying" personnel—the vast number of employees who follow orders and execute commands of the chiefs. The "policy-obeying" per-

sonnel may then be divided into those who (1) have been chosen for employment largely on the basis of their party attachments and who may expect to lose their positions should their party fall from power; and those who (2) have secured employment through competence demonstrated in tests, who usually plan to make government work their life career, and whose dismissal for partisan reasons is prohibited by law. The chapter is concerned with the problems facing federal authorities in the matters of procuring these persons who make up the civil service; of placing them in the appropriate offices; and of paying them, disciplining them, training them, promoting them, and determining what part they may play in the whole political process.

**TABLE 19. POSTS RECOMMENDED FOR POLITICAL AND FOR NON-POLITICAL APPOINTMENTS**

	<b>Approx. No. in All Agencies</b>
<b>Positions That Should Be in the Political Executive Group:</b>	
1. Heads of Departments and agencies and deputy heads	230
2. Assistant Secretaries and assistant heads of agencies	125
3. Department solicitors or general counsels	40
4. Heads of policy staff offices	50
5. Heads of departmental information offices	300
6. Political aides and assistants to political executives	10
	<hr/>
Total	755
<b>Positions That Should Be in Professional Administrator Groups:</b>	
1. Administrative Assistant Secretaries and equivalent positions	60
2. Heads and members of departmental staff offices concerned with organic matters	250
3. Deputy heads and other members of departmental policy staff offices	40
4. Chiefs of line or operating bureaus	350
5. Assistant bureau chiefs, division chiefs, and others at lower levels	2,000
6. Heads of regional or district offices	1,000
7. Professional aides and assistants (in addition to political aides) at departmental level	300
	<hr/>
Total	4,000

## **THE HIGH CIVIL SERVICE**

In the administrative branch of government, political appointments are generally considered to be necessary only at high levels. There, the argument holds, the incoming President must be able to place men who share his confidence and his political principles. Without such personal aides

for his program, he would be a figurehead; the permanent civil servants would have no fear of opposing him openly or secretly, because the President could not threaten to oust them. Hence somewhat fewer than 800 persons should, according to this theory of the general management of the government, be appointed and hold office at the pleasure of the President. How to determine what positions should be filled by "political" executives and which by permanent civil servants was one problem that the second Hoover Commission on Organization of the Executive Branch of Government (1953-1955) undertook to answer. Table 19 tabulates the conclusions of the Commission.

The Hoover Commission, as the column of figures shows, also estimated the "proper" number of such political and career posts in the federal government. Apparently ambassadors to foreign countries and special and permanent commission appointments were not included; nor were many thousands of presidential appointments to commissions in the armed forces and miscellaneous posts strewn through the executive branch of the government. The White House staff was also omitted. Of course, these recommendations for the top offices, and the distinction between political and professional, are the views of the Hoover Commission and not a matter of law. Some such pattern, however, will work out in the future and is actually being roughly followed today.

Both now and in the future, however, one will find at the top levels of the executive establishment a combination of political and of non-political personnel. The lower levels are, on the contrary, becoming exclusively the vocations of permanent, non-political, career civil servants; these levels and vocations are the chief subjects of this chapter.

## EVOLUTION OF THE CIVIL SERVICE

The federal civil service has undergone a great process of evolution since 1789. The permanent civil service of today is new. One may discern three periods in all the time since 1789; in each a different method of choosing and maintaining civil servants has prevailed: (1) 1789-1829: competence for office, determined by the personal judgment (supposedly unbiased) of the appointing officer; (2) 1829-1883: the spoils system; and (3) 1883 to the present: the classified and permanent civil service.

### *Competence determined by personal judgment*

The first six Presidents, Washington, John Adams, Jefferson, Madison, Monroe, and John Quincy Adams, in the main appointed officers who they thought were particularly competent to hold civil service positions. It must be conceded that the party organizations which later had almost exclusive control over such appointments were at this time hardly in existence. Even partisan sentiments played a comparatively small role in deciding administrative selections during this era. True, John Adams sought especially at the end of his term to place Federalists in appointive offices; and Thomas Jefferson expressed regret that he had few opportunities to place

his followers in office. Yet George Washington named such antagonists as Alexander Hamilton and Thomas Jefferson to be departmental chiefs; and John Quincy Adams even chose political opponents for administrative posts. It is important to recall that as late as 1820 there were only about 8,200 members of the civil service, and that the President named only a small fraction of these persons, the remainder being chosen by presidential appointees.

### ***The spoils system***

The spoils system for choosing federal officeholders prevailed from the accession of President Jackson in 1829 until the passage of the Pendleton Act in 1883, under President Arthur. Thereafter it diminished. The principle of the spoils system is merely that appointive offices should be held by members of the chief executive's party. Following this principle, each time party control is shifted by an election, all administrative personnel belonging to the minority party should be dismissed and replaced by members of the majority party. Such a system would tend toward a rapid turnover in appointive governing officials. This turnover, or rotation in office, was one of the goals of Andrew Jackson; he contended that long tenure was dangerous to the public weal. Jackson did not need to go far in search of agreement, for it was the creed of this era that "when annual elections cease, tyranny begins." Jackson also argued that the bulk of political offices require so little training that any normally intelligent man can perform them efficiently. Finally, as a Westerner, Jackson was convinced that the civil service was top-heavy with New Englanders. Hence Jackson became the first of a long series of American Presidents to appoint and dismiss officeholders on the basis of political partisanship.

Beginning in the 1850's Congress began to enact laws restricting the operation of the spoils system, a process that culminated with the passage of the Pendleton Act in 1883. These early laws, however, were quite weak, and their enforcement depended largely upon the discretion of the President and of the departmental chiefs. But by the opening of the 1880's an influential body of public opinion was on the side of changing the means for appointing civil service personnel. Then, in 1881, a rejected office-seeker assassinated President Garfield. This action crystallized public demand for civil service reform. In response, Congress in 1883 passed the Pendleton Act, which is the foundation for the modern federal civil service system.

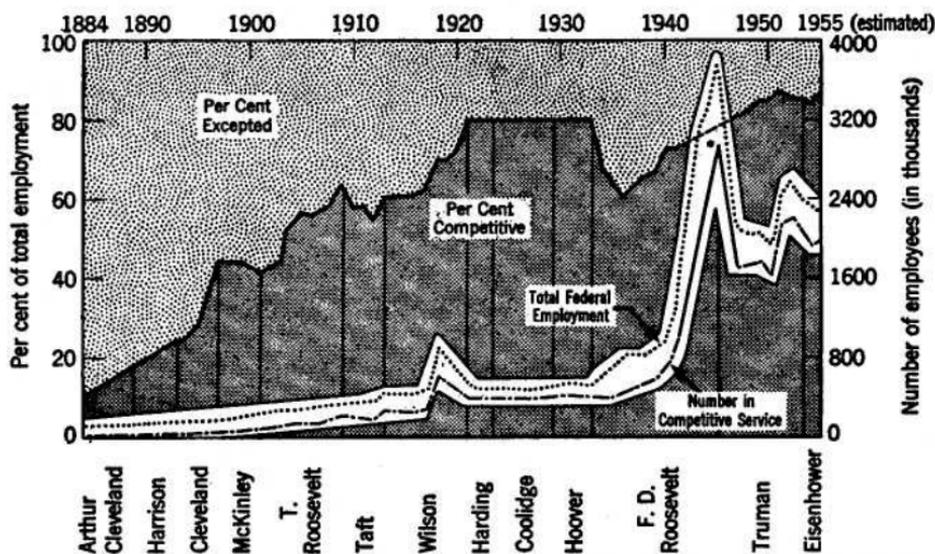
### ***Nature and application of the Pendleton Act***

The Pendleton Act achieved two major steps in the restraint of the spoils system: (1) it established an administrative agency to supervise the entire civil service system; and (2) it provided means for the political neutralization of certain civil service posts. The administrative agency is the three-member Civil Service Commission, designed to control the recruitment, examination, appointment, promotion, and discipline, of all civil service employees, and the rating or classification of all civil service positions.

The means for political neutralization of civil service posts is the so-called merit system or classified civil service, which includes those positions whose incumbents can be chosen only on the basis of proved competence and can be discharged only on the ground of demonstrated incapacity.

The history of the civil service since 1883 has been largely that of the expansion of the merit system, so that the classified positions have made up a greater and greater proportion of the total. The graph in Figure 65 shows the rise of this proportion since 1883. The Pendleton Act placed about 14,000 posts, or approximately ten per cent of the total in 1883, under the umbrella of the merit system; far more important, it authorized the President to increase this number by executive order. Although Congress has added some areas of government employment to the classified list, the Presidents since Arthur have been chiefly responsible for the fact that about ninety per cent of federal employment today is embraced in the classified civil service.

The ten executive Departments have differing proportions of employees in the classified civil service; some of their employees are included in special classification systems. In 1955 practically all of the civilian employees of the Department of Defense (85.9%), the Post Office (97.1%), the Treasury (96.7%), Labor (89.3%), and Health, Education, and Welfare (90.5%) belonged to a single system administered by the Civil Service Commission. Smaller proportions of the other Departments also belonged:



\*Solid line is for the several years of World War II during which exact figures on the number in competitive service were not made available.

Commission on Organization of the Executive Branch of Government, "Personnel and Civil Service" (U.S. Government Printing Office, Feb., 1955), p. 6

**Figure 65. Extension of the Competitive Civil Service, 1884-1955.** The graph shows the growth of the competitive civil service positions in relation to the total number of positions in the national civil service (as shown by the rise in the heavy line along the left-hand scale of percentages). The graph also shows the rise in total numbers of civil servants (.....) and total numbers placed in the competitive service (- · - ·), measured along the right-hand scale of numbers in thousands.

Agriculture (72.6%), Commerce (53.4%), Interior (72.6%), Justice (45.4%), and State (21.3%). But each of the last group has a special problem or system. For instance, the Census Bureau of the Commerce Department has a large number of temporary employees engaged in particular census work; there is a Forestry Service in Agriculture, a separate service for FBI agents in Justice, and the Foreign Service in State.

## ADMINISTRATION OF THE CIVIL SERVICE

The administration of the civil service includes two factors: (1) a central agency, the Civil Service Commission, with subordinate bodies and associated groups, to supervise federal employees; and (2) a means for analyzing and sorting government positions, termed *classification*, to determine the duties of each position and the compensation to which the holder should be entitled.

### *Civil Service Commission*

The Civil Service Commission, created in 1883, has as its executive head three commissioners chosen by the President with the confirmation of the Senate. No more than two commissioners may be of the same political party. The commissioners serve for indefinite terms and may be removed by the President at his discretion. The President names one commissioner as Chairman; he becomes the administrative chief of the entire Commission. Perhaps the most important role of the Chairman is to provide a link between the White House and the Commission, transmitting White House policies to the operations of the Commission. Immediately subordinate to the Commission are (1) the Executive Director, named by the Chairman, who serves as deputy of the Chairman; (2) the Executive Assistant to the Commission, whose duties embrace secretarial matters and the maintenance of Commission ties with the executive and the legislative branches; and (3) the Board of Appeals and Review, a quasi-judicial body that hears appeals from decisions made by other administrative agencies respecting civil service questions.

The main body of the Commission, which on January 1, 1956, numbered 3,950 employees, carries out a variety of tasks. Some of these functions are administered through eleven regional offices situated in Boston, New York, Philadelphia, Atlanta, Cincinnati, Chicago, Dallas, St. Louis, Denver, Seattle, and San Francisco. For special problems connected with loyalty there is attached to the Commission an International Organizations Employees Loyalty Board. With respect to racial and religious discrimination in government employment, the Commission depends upon the President's Committee on Government Employment Policy, an independent agency containing five members. The Commission has numerous branches, such as the Public Information Office, the Office of the General Counsel, and the Board of Appeals and Review. It is pertinent to note here that the Civil Service Commission does not actually *hire* any federal personnel, save for its own offices; rather, it sets the employment standards for the various

personnel offices in the different administrative agencies, which do the actual employing for their organizations.

### ***The classification process***

The classification process is the technique whereby the Civil Service Commission evaluates each of the thousands of positions in the administrative branch, so as to determine what qualifications shall be required of the incumbent of the office, what tasks the incumbent shall perform, and what compensation the official should receive.

The classification process is administered by the Bureau of Inspection and Classification Audits of the Civil Service Commission; however, the classification itself is performed by administrative experts and analysts in the agencies themselves. Today the process is regulated by the Classification Act of 1949. This Act establishes two extensive categories of positions, into which each administrative post may be fitted; these categories are known as the General Schedule (GS) and the Crafts, Protective, and Custodial Schedule (CPC). In the General Schedule there are eighteen levels or classes; and in the Crafts, Protective, and Custodial Schedule, ten.

The level or class of each position is determined after an analysis of what the holder of the position does (not, it must be emphasized, by how well he performs his duties). The Act of 1949 supplies some general descriptions to aid the position analyst in making his decision as to which class the position belongs in; the analyst then designates the position by a number to indicate its class, as GS-9 or CPC-3. This conclusion determines what shall be the salary of the office; for the Act fixes the pay scale for each category, with the aim of assuring that persons doing similar or identical work shall receive the same stipend. For instance, the Act states that GS-1 positions include those whose duties are "to perform, under immediate supervision, with little or no latitude for the exercise of independent judgment, (1) the simplest routine work in office, business, or fiscal operations, or (2) elementary work of a subordinate technical character in a professional, scientific, or technical field."

## **APPOINTMENTS TO CIVIL SERVICE POSITIONS**

### ***Recruitment***

Recruitment is specifically the process of getting persons to apply for civil service positions. In general the federal government takes a passive role in recruitment. In other words, the government expects the potential employee to take the initiative in seeking a federal post. Recruitment is chiefly a matter of publicizing the availability of offices. The usual procedure is that when the government seeks to fill certain positions, it issues circulars stating that vacancies exist and indicating where interested persons may secure information respecting the examinations. The commonest place to find such circulars is a post office; all post offices in major cities house representatives of the civil service.

The government often has been criticized for its failure to adopt a more aggressive policy regarding recruitment. It is held that many desirable persons are not now employed by the federal government because they do not linger about post office lobbies reading Civil Service Commission notices. In recent years the Commission has begun to communicate with colleges, universities, and professional societies, in recruiting candidates for posts demanding extensive preparation. Many agencies also actively seek candidates for the types of positions they offer.

### **Examinations**

Before he can secure appointment to a post in the classified civil service, an individual must take an examination to prove his fitness for office. The nature of these examinations reveals several aspects of the federal civil service. In the first place, the government does not require an individual to pay a fee in order to take an examination; examinations, then, are open to all persons regardless of their economic status. Furthermore, a large number of the examinations are open to all adults irrespective of age and education. The absence of educational requirements is sometimes unfortunate, since certain people may undertake the time and expense of an examination which they cannot reasonably expect to pass because of their educational shortcomings. Civil service examinations are "practical"; they are designed to test the individual's capability of performing the duties imposed by the office.

Today the examination testing fitness for appointment is accompanied by an examination to determine the loyalty and security status of the candidate. "Loyalty" and "security" are not synonymous. Loyalty refers to the actual political allegiance of the candidate, to his formal associations and his predominant beliefs. Security is related to more general problems revolving about the personality of the individual. It might be said that loyalty is concerned with a *fact* and security with a *possibility*. The government for some time has had a loyalty program. For example, no person who is a member of an organization that the Attorney General's office has listed as subversive may be appointed to a federal post; moreover, the discovery that a functionary belongs to one of these groups is ground for prompt dismissal. The security program is most important with respect to the "sensitive" agencies such as the Department of State, that handle state secrets. In fact, in 1956, in a case involving a federal employee who had been discharged from his position on the ground that he was a security risk, the federal Supreme Court ordered him reinstated and ruled that a government employee in a "non-sensitive" post might not be discharged as a security risk under the fundamental security risk act of 1950. The program aims at detecting those traits in an individual that, although they do not constitute disloyalty, may yet unfit him for service. For example, a chronic alcoholic may be unquestionably loyal and yet have a propensity for telling government secrets when under the influence of intoxicants. An individual may have a character blemish making him a likely target for

blackmail attempts, in which he is told that he can purchase silence only by turning over government information.

The loyalty and security programs are administered primarily by the agency chiefs; that is, the head of an office is responsible for the loyalty and security of his subordinates. The chiefs are authorized to dismiss any employee on the basis of derogatory information given to them about the employee. Such an employee may appeal his dismissal to the Security Review Board of the Civil Service Commission.

Presumably the administrative branch alone is to cope with situations involving loyalty and security. However, under its power to supervise the administrative agencies and to conduct investigations, Congress has probed the loyalty and security of officials in some parts of the administrative branch. These probes have been carried on chiefly by the House Committee on Un-American Activities, the Permanent Subcommittee on Internal Security of the Senate Judiciary Committee, and the Senate Government Operations Committee. Disputes have raged and are still raging over the effectiveness of this congressional activity. Supporters point to the fact that the House Un-American Activities Committee did unearth Alger Hiss and William Remington, two former government officers who were sent to a federal penitentiary for perjury committed by denying under oath that they were associated with the Communist Party. Certainly these committees have revealed cases of disloyalty to which administrative chiefs had paid little attention.

Opponents assert that the congressmen sometimes operate with so little factual justification that they threaten the morale of the personnel and dissuade competent men from seeking government office. For example, in 1950 Senator Joseph McCarthy accused the State Department of harboring eighty communists on its payroll. The Department denied the charge and was given a list containing the names of the supposed communists. Five years later Democrats in the Senate charged that not a single one of the eighty had been shown to be a communist. The State Department released a letter describing the history of the eighty before and during the intervening years. These persons fell into several classes, as follows: seven had never been employed by the Department; ten had moved to other government agencies; thirty-two had resigned, for reasons not given, before the date on which the list was given the Department; four had had limited appointments that had terminated; eight had been separated for reasons of economy; one had retired; one had died; one was discharged as unsuitable; three resigned during security proceedings; two were removed on security charges; and eleven presumably were still with the Department.

The picture presented is a puzzling one; no one, despite intensive investigation, had been shown to be a communist. Only two were removed as a result of security proceedings, and the rules of security were such as to exclude anyone regarding whose loyalty the government security officers might feel the slightest doubt. It is also possible that several of those who resigned were afraid of being discharged for security reasons. But the great

turnover, with only eleven persons presumably in the Department, indicates very serious disturbances of an internal sort. One possibility is that the Department, frightened by the Senator's allegations, eased out a number of the accused by various means, including hints that promotion would be blocked. Another possibility is that a number of those who left did so because they were disgusted and dismayed by unfounded charges against their character. The truth regarding the eighty may never be known. The general consequences of such investigations are, however, weighty, because thousands of hours of work and many thousands of dollars were consumed; thousands of people in the service generally were demoralized—if one can believe the almost unanimous voices of those who spoke up in and out of the service; and millions of outsiders were imbued with suspicion and hostility toward Congress and the executive branch of the government.

It cannot be denied in any case that some committee chairmen have exploited their tasks and harmed the nation for the sake of winning favorable publicity. Probably the congressional committees have stimulated administrators to inspect the loyalty and security of their employees if only in order not to surrender that major power to Congress. Indeed, so fearful of congressional investigation have some administrators and their security officers become that they have committed more sins of haste and of flimsy allegation than congressmen have.

### ***Appointment***

Appointment is simply the means whereby an individual is named to office. To review the process of securing government personnel, when an administrative agency discovers that it needs employees, it notifies the Civil Service Commission of its need. The Commission now prepares an examination or group of examinations for the offices concerned, and publicizes the fact that the examination is to be held. After the examinations have been held and the papers scored, the names of the persons who have passed the test—a passing mark being customarily seventy per cent—are placed upon a register in the order of their scores, the highest score being at the top. It should be noted at this point that veterans enjoy exceptional privileges with relation to civil service examination scoring. Every veteran is entitled to have five points added to his grade; and disabled veterans, the wives of disabled veterans, and the widows of veterans, may all have ten points added to their scores, and their names placed at the top of the register irrespective of their scores. Furthermore, certain positions—mainly custodial employment such as operating elevators in government buildings—are open to veterans only. The consequence is that the vast majority of male functionaries are veterans. Few if any people will deny that the government is morally obligated to take some care of its former soldiers, especially those who have been disabled in battle. However, it is legitimate to inquire whether past military service confers extraordinary capacity upon an individual to administer a government office.

After the register has been prepared, the Civil Service Commission upon

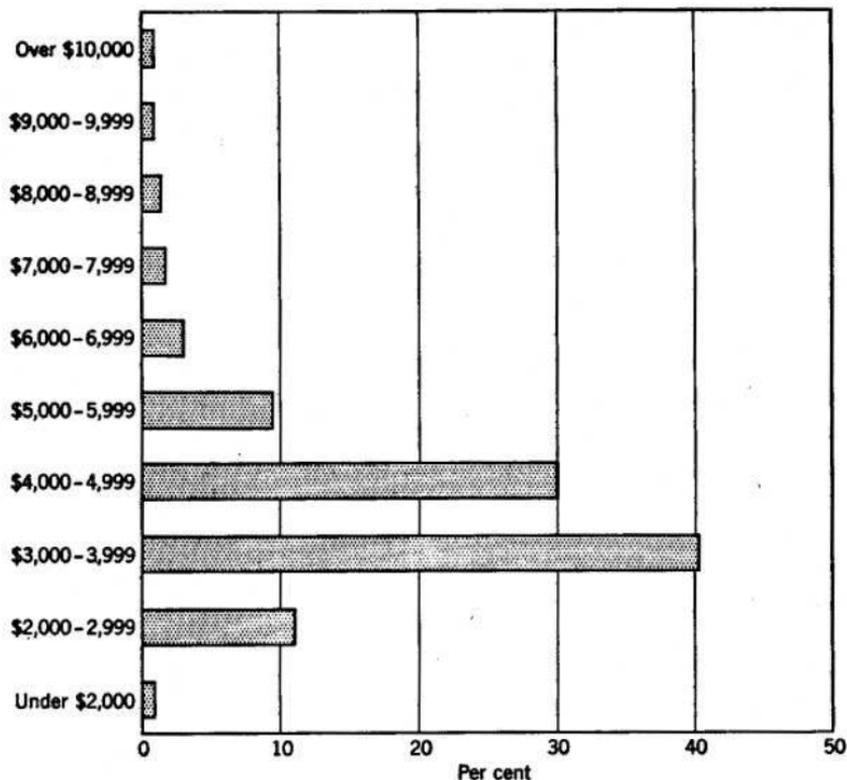
application of an administrative chief will provide the chief with the three names at the top of the list; the chief may now appoint one of these persons to the office; the names of the other two are restored to their places on the list. If the chief does not choose to name any of the three persons to the office, he returns all three names to the Commission. If he wishes more names from the register, the administrator must inform the Commission in writing why he did not name any of the three person to the post; and if the Commission finds this explanation satisfactory, it will send the next three names. On the other hand, the administrator may prefer to wait until a new register is drafted.

It is at the appointment stage that the administrator may use his discretion so far as naming the most desirable functionaries is concerned. It may very well be that the chief dislikes the party affiliations of the person highest on the register, and that he fears lest the second-highest person cannot work well with other people. Under such circumstances he may feel that appointing the third-highest person on the register will make the greatest contribution to the efficiency of his bureau or division. Too, it is possible that some person not at the head of the list has powerful support, conceivably in the form of a congressman or an important donor of party funds. The three-name system gives the administrator the leeway he needs to deal with political pressures of this type, which are very common. It should also be remembered that the appointing officer is not permanently bound by his initial choice, inasmuch as the new employee is put on probation for a period of up to six months before he achieves full civil service status.

## COMPENSATION AND PERQUISITES

The compensation rate, or salary scale, of the federal civil service is based on the principle that equal work deserves equal pay. To execute this principle is one of the chief functions of the classification process. Each class in the GS and the CPC schedules has a salary rate in several steps, so that the individual may hope to see his pay raised a number of times during his career even though he may remain in the same post. The level of federal pay scales has been the subject of intense debate. At present it can be said that on the lower and intermediate levels federal employees are at least as well paid as persons in private business doing comparable work. On the upper levels, however, private business pays much more than government employment. As a result, the federal government has little difficulty in obtaining production workers and supervisors but must on occasion virtually go to its knees to procure managerial talent. The chart in Figure 66 shows the proportion of federal workers in different salary brackets. Notice that more than half of all federal employees earn between three thousand and five thousand dollars per year. Less than one per cent earn over ten thousand dollars.

Apart from compensation, the leading perquisite of federal employment is a retirement pension system. Today this system blankets the entire civil service. Employees contribute five per cent of their salaries through



Statistical Abstract of the United States (1954)

**Figure 66. Percentage of Civilian Employees of the Federal Government on Different Pay Levels on June 30, 1954.** (Total number of employees: 2,032,812.)

payroll deductions; and the government makes an added contribution. These sums are placed in a fund that is drawn upon after the employee retires. The amount of the pension is based upon the salary of the employee and the number of years of service; in any case it is not very large. The retirement age is seventy years; in the event the employee retires before reaching this age, he may withdraw all his contributions from the fund, plus four per cent interest.

## TRAINING, DISCIPLINE, AND PROMOTION

### *Training*

Training may be divided into two classes: pre-service and in-service. It has already been noted that the federal government does little in the way of training its employees either before or after appointment; rather, the government assumes that the employees will have acquired the bulk of their training before they are named to office. Some observers find it curious that when the government conscripts a hardware-store clerk preparatory to converting him into an Air Force pilot, it does not expect him to know how to fly an airplane; but that when it retains an administrative employee, it demands that he be trained for the position before he is

appointed. Of course, it should be conceded that many of the skills needed for the armed forces have no counterpart in civilian life, but that the vast majority of civil service occupations find their parallels in private business.

There have been many projects for governmental training prior to entering the civil service. George Washington, for example, urged that Congress establish a national university for the purpose of educating administrative personnel; and the call for such a university was loudly voiced in the era of the New Nationalism after the War of 1812. The fact is that in the late eighteenth century some European universities had been erected specifically for this end; however, Congress never founded this type of school in the United States. Today in many private and State colleges and universities there are curricula designed for readying the student to hold an administrative position.

The government now does devote attention and effort to in-service training programs—that is, the training of employees after they have been admitted to the civil service. One of the most ambitious of these programs involves the junior administrative assistants, who as noted above are persons that have been selected primarily on the basis of general education. The training of these employees is aimed at procuring administrative chiefs. Probably the most intensive in-service training program is maintained by the graduate school of the Department of Agriculture; bearing in mind the vast amount of research that is conducted by this Department, one can readily understand why it would support a substantial educational program. Another important “school” is that of the Department of Justice for the training of FBI agents. Here again, as in the case of the armed forces, the personnel have to learn and master skills not found in ordinary civilian life. The State Department, Treasury Department, and Tennessee Valley Authority are other agencies that train their functionaries. Still other bodies provide a species of “apprenticeship” or of “orientation.” In the main, however, these training programs are not common and have been only recently originated.

### ***Discipline***

The discipline of civil service personnel is aimed, like that of private organizations, at ensuring satisfactory performance through an appropriate balance of rewards and punishments. Adequate pay, skillful leadership, promotion, and interesting work provide the ingredients of positive discipline. Devices of negative discipline range in severity from reprimand and demerits through temporary suspension without pay (which amounts to a fine) to the ultimate of dismissal. This last device has provided a topic for intense controversy over the civil service. Many critics insist that it is so difficult to dismiss a civil service employee that inefficient workers are simply shunted from one agency to another instead of being discharged. Other commentators declare that inefficient employees are in fact removed from office.

In any event, the administrative chief must give the employee, in writing,

the reasons for his dismissal. However, the chief is not obligated to hold a hearing over the dismissal; he may call such a hearing at his own discretion. The employee may take recourse to appealing the dismissal. For this purpose there are several levels of appellate bodies. By a series of appeals the employee may postpone his discharge for weeks or even months; he may even forestall it entirely, since his chief may not be able to give the time necessary for prosecuting the dismissal through the appellate procedure.

### **Promotion**

Promotion is the process whereby an individual rises in the administrative hierarchy. It evokes two significant problems: (1) Is promotion the best means for filling superior posts? (2) What should be the basis for promotion? With respect to the best means for filling superior administrative positions, some observers insist that they should be filled only by promotion from the lower ranks. By this means, these people contend, higher posts will be staffed by persons who have had experience at the lower levels. They also argue that promotion leads toward better morale; supposedly it is demoralizing for an employee to discover that he has a new chief who has been brought in from outside the agency, and supposedly every employee may look forward to the day of his promotion. Other students of government maintain that superior officers should be appointed from outside the agency. They believe that promotion may lower the morale of those who are not promoted, and that a person who has for a long time been an employee in an office has formed relationships and interests that he cannot discard after being promoted. In recent years there has been a growing trend toward filling higher offices by promotion. This trend is one phase of the professionalization of the civil service. Perhaps the acme of this trend was attained in 1947 with the appointment of Jesse Donaldson as Postmaster General, a post to which he arose after a career as a Post Office employee.

Numerous bases for promotion have been suggested. Perhaps the oldest basis is seniority. It is easy to administer and is favored by many employees, who are assured that they will be promoted provided that they are in office long enough. However, seniority is not necessarily related to ability, and may be injurious to the morale of competent, ambitious functionaries. Another basis for promotion is examination. The most serious consideration for the administrative head is the decision as to whether the examination shall be *open* or *closed*. An open examination is one in which any person may compete; a closed examination is restricted to the personnel already in the agency. The open examination taps a far deeper well of potential candidates, but is often resented in the offices. Also, it may be difficult to construct examinations for complicated posts; how would one write an examination for the position of Minister to Guatemala? Another basis for promotion is the efficiency rating. But the failure of this basis is that demonstrated ability to perform one task is not proof that the individual can perform a more difficult task. Too, this sort of promotion may

shift a very competent technician, highly skilled in dealing with ideas or things, to an administrative position where he must handle people, a duty he is quite unable to carry out.

## EMPLOYEE ORGANIZATIONS

Like many employees in private business, many civil service personnel join labor unions to negotiate with the government, as their employer, concerning wages, hours and working conditions. Some unite with organizations whose members are all in government service; others unite with bodies containing persons in private as well as public employment. Which type of organization the employee chooses depends largely upon the nature of his occupation. For instance, Post Office employees may join the National Federation of Post Office Clerks or the Railway Mail Association. Virtually any civil service operative except a postal employee may enroll in the National Federation of Federal Employees. All three of these groups are linked with the AFL-CIO. The American Federation of Government Employees, by contrast, is independent. A former CIO affiliate, the United Public Workers of America, was a storm center for several years, on the ground that it was Communist-dominated; finally it was expelled from the CIO on that charge. Many federal employees join any one of the host of trade and industrial unions, such as those for various types of factory workers.

Unions have a unique relationship with the federal government as an employer, for they cannot resort to their traditional economic weapon, the strike. On the lower levels of government, civil service employees can and do strike, as the schoolteachers of Buffalo did after World War II. The national functionaries in certain European countries have struck against their governments. However, federal employees are barred from striking by the Labor-Management Relations (Taft-Hartley) Act of 1947. The Act provides that any civil service employee who strikes shall be dismissed at once, shall lose all his seniority rights, and shall be prohibited from federal employment for a period of three years. Although the unions are hampered by this prohibition, they have been able to bargain effectively for higher wages and shorter hours. Unions are expressly authorized to bring their grievances directly to Congress; in other terms, unions may lobby. The success or failure of unions in bargaining seems to depend largely upon how sympathetic they find the administrative chief with whom they are dealing.

## CHARACTER OF THE SERVICE

It remains to delve into a few areas of the civil service where important problems have developed out of the conditions heretofore described: (1) the turnover of personnel; (2) problems of the merit system; (3) problems of inertia and red tape; (4) prestige and morale of the service; and (5) the political activity permitted civil service employees.

## ***Turnover rate***

The turnover rate is the rate at which present employees are separated from their positions and new employees are appointed. The turnover rate is an important index to the morale and general desirability of employment in a given enterprise; a low turnover rate suggests employee satisfaction, and a high rate indicates employee discontent. The federal civil service has a comparatively low turnover rate. In 1954, the average monthly rate of separations was 2.7 per hundred; in the same year in manufacturing industries the monthly rate averaged more than 4.0 per hundred. It is noteworthy that of the nearly 600,000 separations from government service in 1953, only 20,000, or about three per cent, were dismissals. Of the total, 372,000, or about sixty per cent, quit. By comparison, only a little more than twenty-five per cent of the separations in industry represented employees quitting; between five and ten per cent were dismissals. The greatest difference appears in the matter of lay-offs, or reductions in force; slightly more than ten per cent of civil service separations constituted reductions in force, but about one-third of the separations in private industry fell into this category. Hence actually a higher proportion of government employees than of industrial workers quit their jobs, probably to work for private enterprise. This is another illustration of the difficulties suffered by the government in holding competent and experienced administrators.

## ***Problems of merit***

The merit system has not been an unalloyed good for the government. Many people pretend, or assume, that all the ills of administration can be eradicated by the institution of a one hundred per cent merit system for non-policy-making posts. These people in a sense are the victims of a delusion. What they fail to grasp is the fact that the very term "merit system" in a way is propaganda. The determination of "merit" is subject to many disputes of goal and meaning; for example, any promotion by seniority can be easily justified as meritorious—in that experience is being rewarded, and the morale of "old-timers" is being boosted. To take a second case, an ardent political party leader might assert that merit for many kinds of jobs is best judged by an individual's fidelity to his party; consequently the spoils system in its fashion is based upon merit. Furthermore, it is not at all certain that a merit system in name is a merit system in fact. A great many people have entered the federal classified service by procedures that could scarcely be said to measure merit: they were "blanketed in" or hired after inadequate, simple testing. Often they had veterans' priorities. Moreover, of the hundreds of thousands of promotions that occur, it is likely that the greater part are made simply on the basis of seniority.

## ***Problems of inertia and red tape***

The federal civil service, like any other large organization, may be stilled by inertia and strangled with red tape. Here again the government does not have the spur of the profit motive, which often impels private business-

men to better their administrative structures. For government administrators the principal goads must be public opinion and their own pride and morale. From time to time, however, an almost insuperable inertia will seize a government office. It should be remembered that in public life as in private life, habitual ways tend to be comfortable ways. Thus once a procedure is installed, it becomes almost impossible to uproot, and finally is invested with an aura of sanctity.

One of the most popular caricatures of the civil service employee is that of an individual afloat on a sea of paperwork, or of one strapped in red tape. Some truth stands behind the image. Investigating commissions can always discover expensive leakage in a great organization. For instance, a 1955 report of the second Hoover Commission estimated that the government could save a least a quarter of a billion dollars a year by increasing the efficiency of its paperwork. Some twenty-six billion pieces of paper are handled by the civil service annually. Over 750,000 employees and more than \$4 billions are devoted to paper processing. Obviously ways to save money can always be found. Yet it is illusory to conceive that private businesses are automatically more efficient, or more vigorous, or less hidebound, than government offices. Most of the forces that evoke inertia in public affairs operate also in private affairs.

### ***Prestige and morale***

Prestige is the respect with which the public views a person or institution. Morale is the degree of zeal with which a person attacks a goal. Prestige and morale are closely related. If the prestige of an organization is low, the morale of its employees is apt to suffer; if the prestige is high, the morale is likely to prosper. Thus the fact that the people regard the Marines as a great fighting organization makes the Marines even more intent upon deserving their reputation.

The questions of prestige and morale are highly important with regard to the civil service. As matters stand today, the prestige of the service is slowly but constantly rising. At one time it was commonly averred that only a person who was a failure would seek government employment. Now, however, especially since the public has come more and more to realize the scope of the government, government positions are winning enhanced respect from the public. The importance of prestige lies in the fact that particularly with respect to the upper administrative positions it is a major if intangible part of the compensation. In other words, the officeholder is recompensed for his comparatively low salary rate by the prestige attached to the post. The increase in prestige has unquestionably heightened the morale of the federal civil service.

### ***Political activity***

The political activity of federal personnel is subject to important curbs. In the era of the spoils system, civil service workers were often among the most zealous party workers; however, under the merit system a number of limitations have been placed on this activity, with the aim of making

federal employees politically neutral. At the outset the Pendleton Act forbade any executive officer save the President to solicit a financial contribution from any other executive officer for political purposes. That is, an administrative head may not ask his subordinates to give money to a political party fund. Moreover, the Act prohibited any person from asking money from a federal employee in his office. However, any private citizen may solicit funds from a federal officeholder on the street, or in his home, or at any other place not associated with government employment. The purpose of these rules is clearly to divorce party membership from offices in the classified civil service, to make tenure not contingent upon donations of money to a political party. Actually, quite within the law a party leader may solicit money from a federal employee.

Other laws further restrict the political activity of government employees. For instance, they may play only minor roles in political parties. An employee may vote and may express his political convictions in private; he may belong to a political party and attend its meetings. However, he cannot be an officer in a political party; he may not speak in political campaigns, or help manage a campaign. The net effect of these laws appears to be the protection of civil service employees from the partisanship of their superiors. Originally these limitations were imposed only upon classified service personnel. Today, however, they are incumbent upon unclassified federal personnel and even upon State and local functionaries whose offices are to some degree subsidized by the federal government. Of course, top policy-making administrators are exempt from these limitations; Department chiefs, for instance, are often found making forthrightly partisan speeches, and are expected to conduct their Departments in a manner that will aid their party.

Enforcement of these laws is the task of the Civil Service Commission. The Commission has displayed marked vigor in investigating and handling charges of partisan activity by federal employees. However, State and local employees under the provisions of these laws have been relatively unscathed. The Commission may remove from office any federal employee in the classified service found violating these laws; in the case of the classified service, the Commission notifies the agency for which the employee works. With State and local employees supported by federal funds the Commission draws the violation to the attention of officials in the government unit concerned; they are expected to dismiss the offender. If State or local authorities do not execute their prescribed duties, the federal government is empowered to withhold its funds from the agency involved.

It is certain that these laws possess a measure of virtue, in controlling what have been extreme abuses in administrative bodies. However, they perhaps detract from the morale of the service, in prohibiting officials from taking a major role in partisan politics. Indeed, this phase of the problem may be more serious than is generally realized; some persons argue that the individuals regulated by these laws have unusually strong political motivations, or they would not be civil service employees. Certainly the officers charged with enforcing these statutes have discovered

that it is extremely difficult to legislate politics out of what are fundamentally political affairs. In reply to this objection it is often noted that a vast number of government positions have little if any partisan or even political flavoring; the incumbent in many cases may even be apolitical. Yet the ideals of American government that many people hold would insist that any barriers to political participation are bad; even though a man may be a clerk in the civil service and his job does not concern politics, he still is a citizen but is denied many rights of political activity while he is working for the government.

## QUESTIONS AND PROBLEMS

1. Describe briefly the three periods into which the methods of recruiting the federal civil service may be divided.
2. What did the Pendleton Act provide?
3. Which of the following problems do you regard as most serious in the federal civil service: rapid turnover; seniority promotions; red tape; the ban on the right of civil servants to strike; or the ban on political activity? Explain your choice.
4. Define the classification process and give examples of its application in the federal civil service.
5. Summarize in 200 words the examining process of the federal civil service.
6. What kind of personnel security program would you regard as most desirable for eradicating communists, yet maintaining constitutionalism (300 words)?
7. Describe the types of training used for entrance and advancement in the civil service.
8. What are the major forms of discipline in the civil service?
9. What methods of promotion are possible in the civil service?