




114th Birthday: Restoring Civil Service

June 17, 2019

Coalition to Restore Civil Service

**Association of Career Employees, South Central Federation of Labor, AFSCME Council 32,
American Federation of Teachers-Wisconsin (AFT-W), Wisconsin Democracy Campaign,
Wisconsin Professional Employee Association, POWRS, NAACP Dane County, Progressive
Dane, AFSCME Locals 171 and 68, Wisconsin Science Professionals, AFSCME Retirees
Subchapter 52**



Emperor Wen of Sui

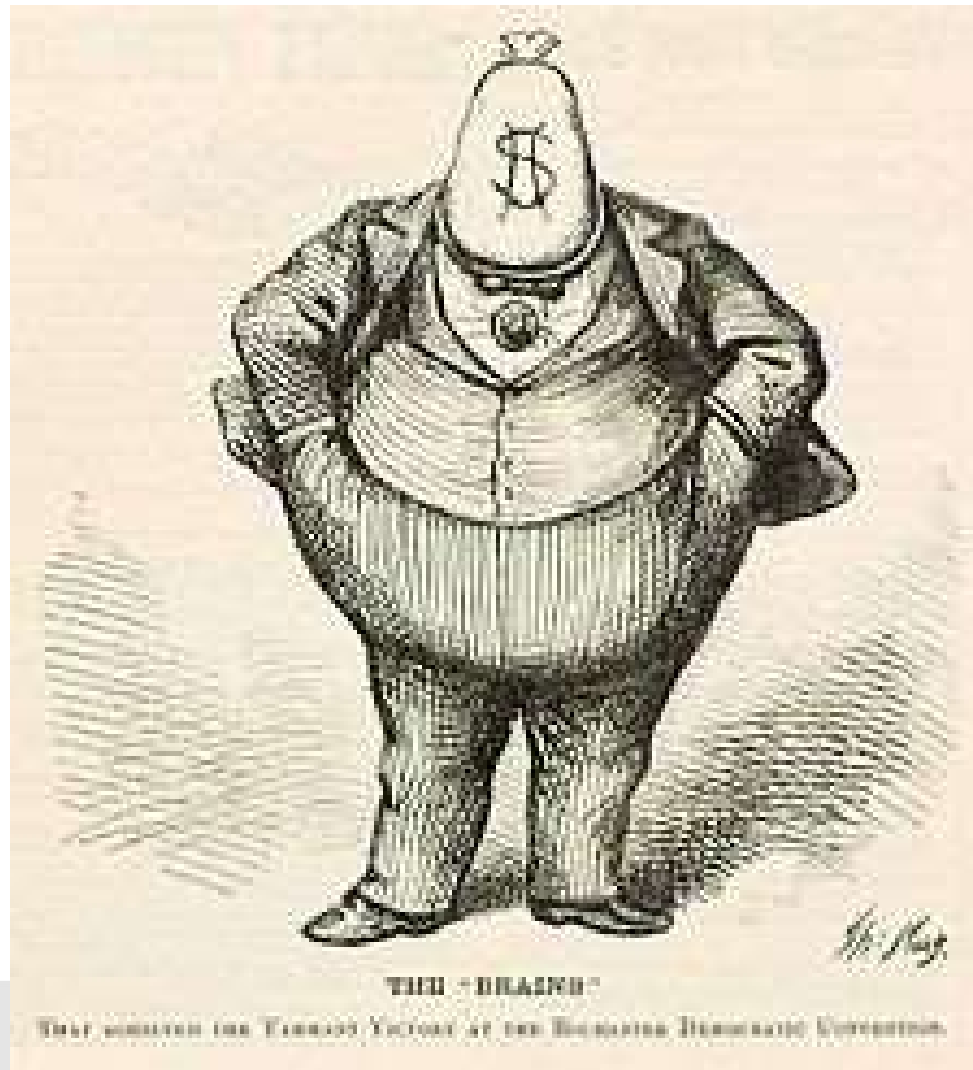


Lincoln and Pigs

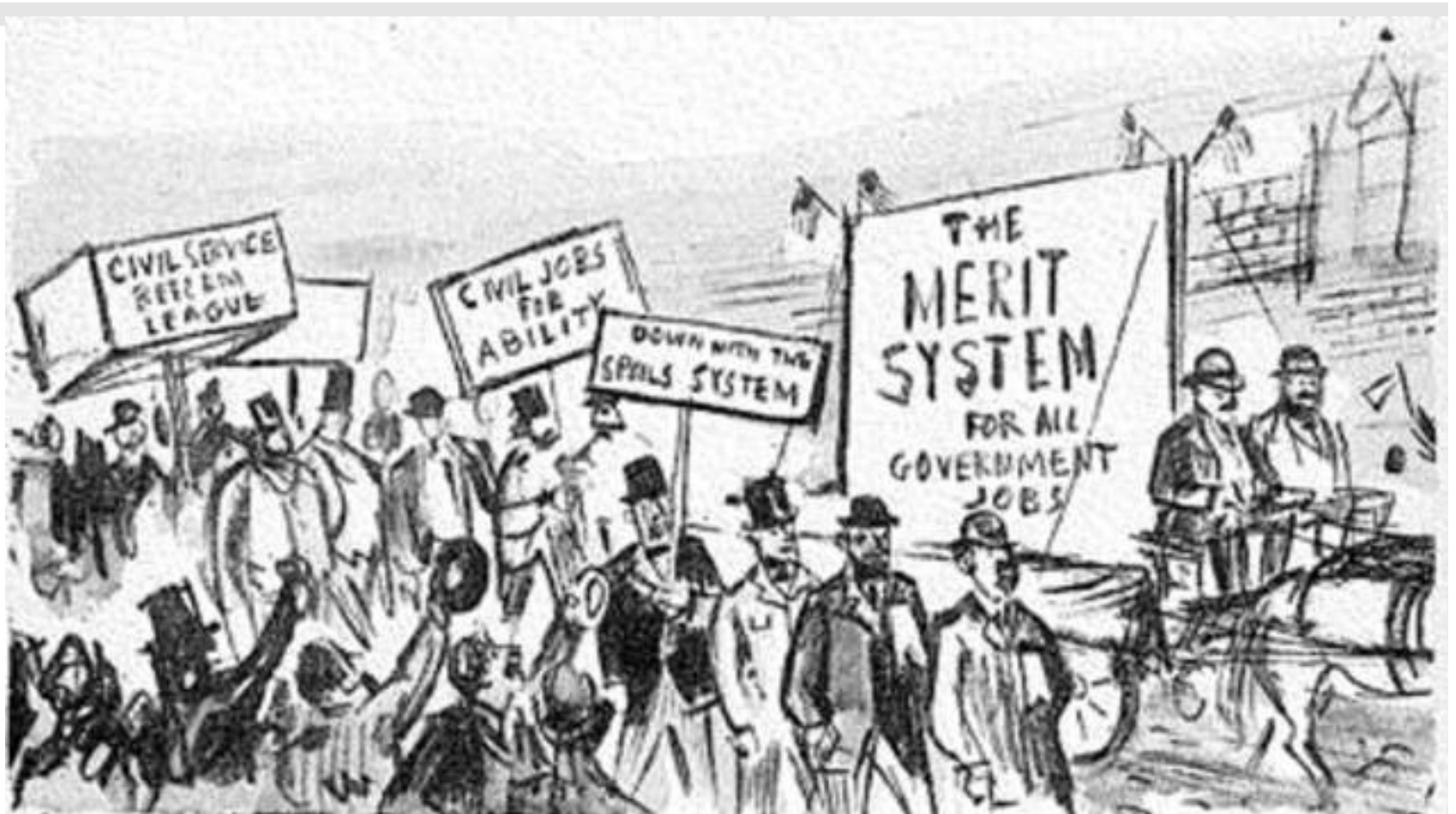


Boss Tweed (1823 – 1878)

Patronage



Civil Service Reform Pendleton Act 1883



Governor Bob LaFollette



Governor Bob LaFollette

June 17, 1905

- “The fundamental idea of democracy is that all men are equal before the law. What proposition is plainer than that every citizen should have an equal opportunity to aspire to serve the **public**, and that when he does so aspire the only test applied should be that of merit?”

Senator Fred Risser



What's Purpose of Wisconsin Civil Service System

- **Protect Public**
- **Equal and Fair Treatment**
- **Treat Like Cases Alike**
- **Equal Access**
- **Efficient and Effective Public Service**
- **Execute the Laws Faithfully**
- **Government Works for All of Us, Not Special Interests**

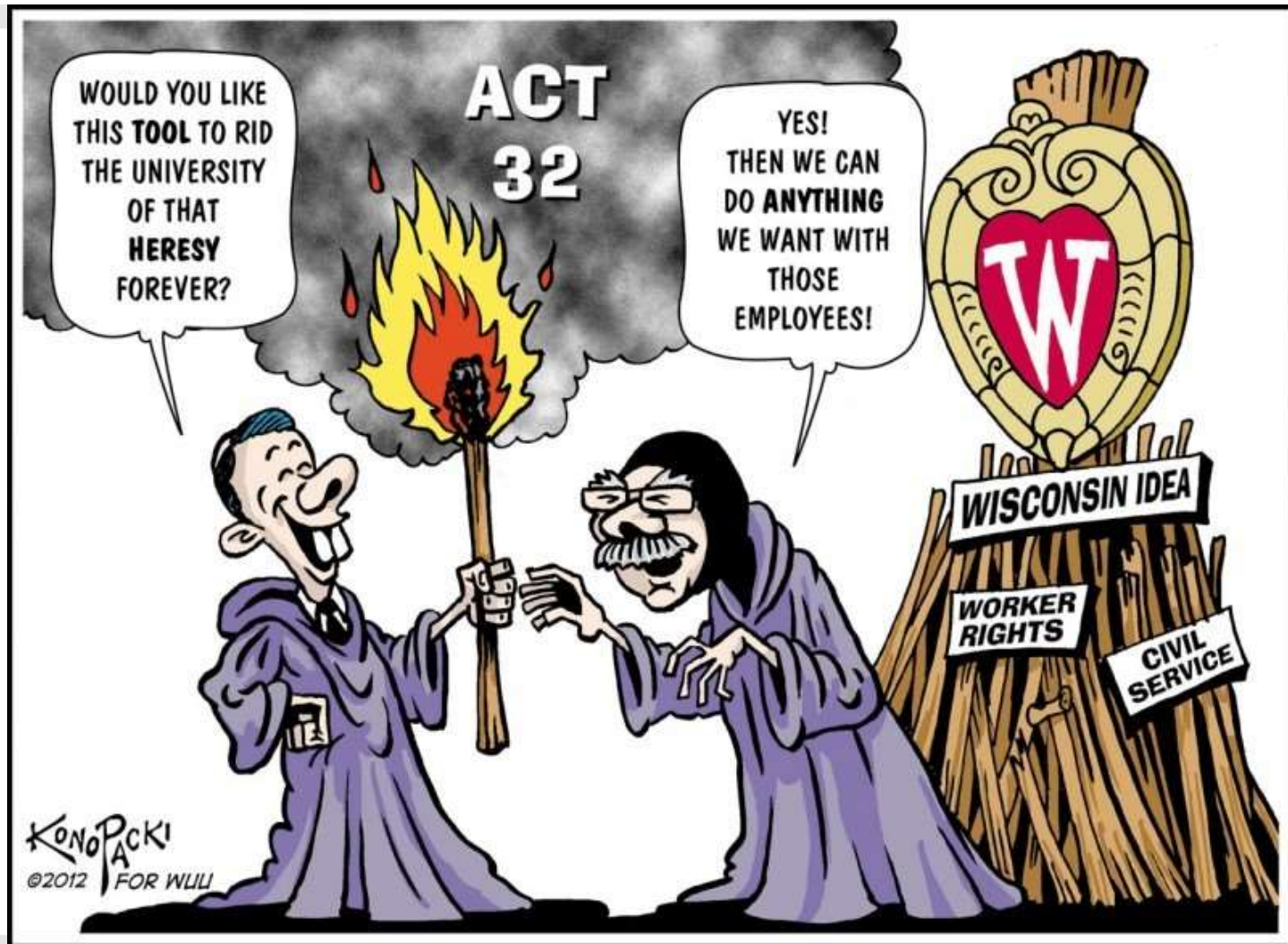
How Is Purpose Achieved?

- **Enforce the Laws**
- **No Patronage; No Nepotism; No Political Contributions In Return for Employment or Favorable Action**
- **Merit Selection, Service, Retention, and Treatment Without Regard to Political Affiliation**
- **Freedom from Fear of Retaliation for Resisting Misuse of Official Authority for Partisan Favoritism**

What Has Been Lost

- Respect for **Public Service**
- Destruction of Unions – Act 10
- Debilitation of Civil Service – Act 150
- Undermining Merit Selection and Service – Administrative Rules
- Political Control of Process – Centralization - In DOA
- Dilution of Effective Enforcement – WERC Civil Service and Grievance

2015 SB 21 REPEAL WIS. IDEA



What Has Been Lost

- **2011: More Patronage- 37 New Political Appointments in “Budget Repair Bill” General Counsels, Communications Specialists, Legislative Liaisons**
- **1975-2018: Tremendous Growth in Unclassified Positions/Political Appointments.**

Vast Expansion of Spoils

- **1975 Unclassified positions**
 - (1) State officers elected by the people
 - (2) Officers and employees appointed by the Governor. Wis. Stat. Wis. Stat. 16.08(2) (1975)
- **2018 Hundreds of additional positions are expressly unclassified. Not subject to merit selection. Wis. Stat. 230.08(2) (2018)**

Vanishing Whistleblower and Anti-Retaliation Protection under 230.80(3)(b) and 230.90(1)(a)

- **These laws do not apply if immediate supervisor is in executive salary group.**

““Employee” means any person employed by any governmental unit **except**:

- **(b) A person who is, or whose immediate supervisor is, assigned to an executive salary group** under s. 20.923 or a person who has, or whose immediate supervisor has, a position specified in s. 36.115(3m)(ae) to (af).”

FOR THE CAPITAL TIMES

KONO PAKI
©2005

THEN IT'S AGREED. WE WILL KEEP D.O.T. PRIVATIZATION RECORDS SECRET!

YES, SIR!

YES, SIR!

YES, SIR!

YES, SIR!

NO!

TO SIM THIEL,
THANKS FOR BEING A "NO MAN"

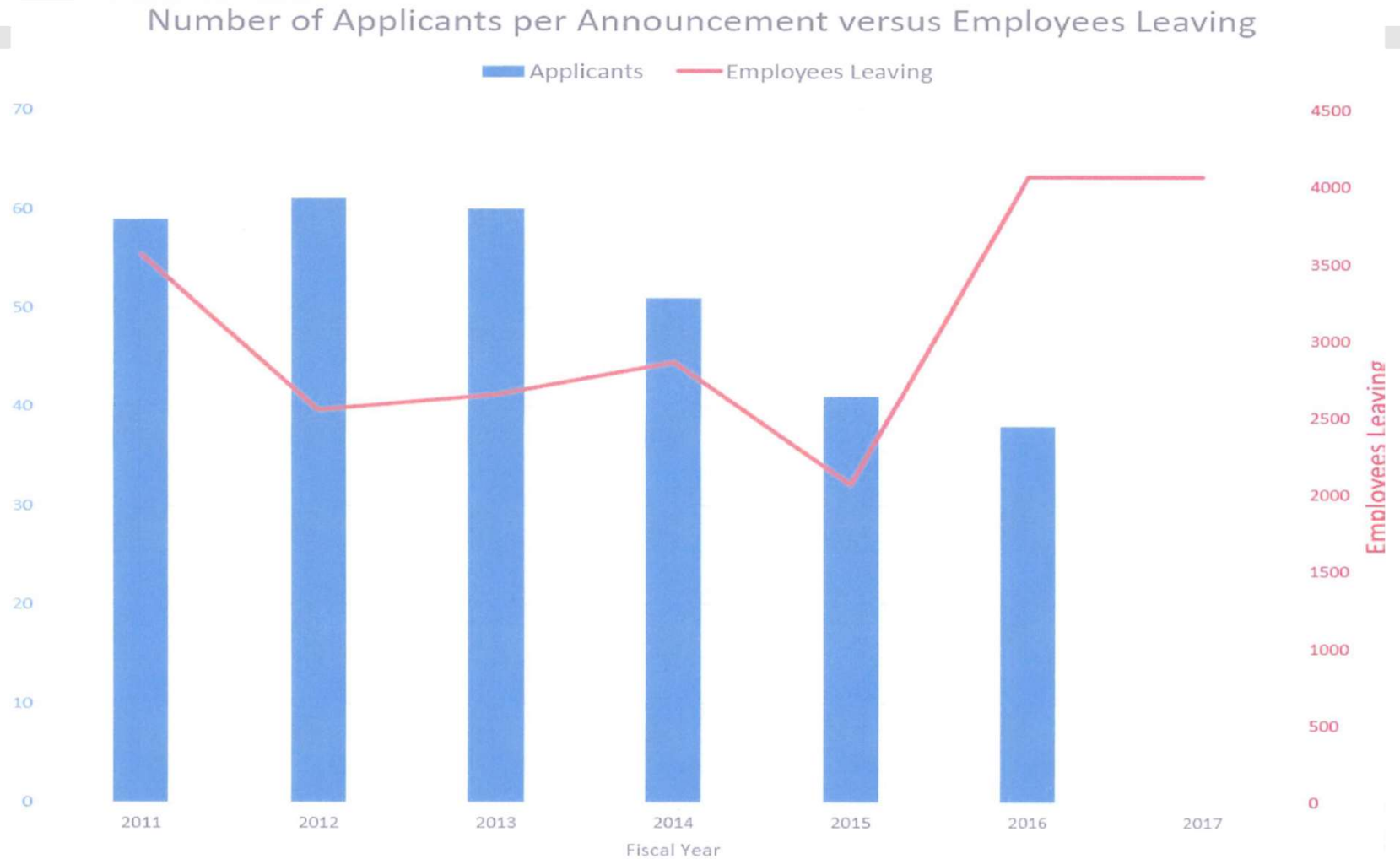
Handwritten signature 2/8/05

YOU THERE, MISCREANT, **YOU'RE DEMOTED!**



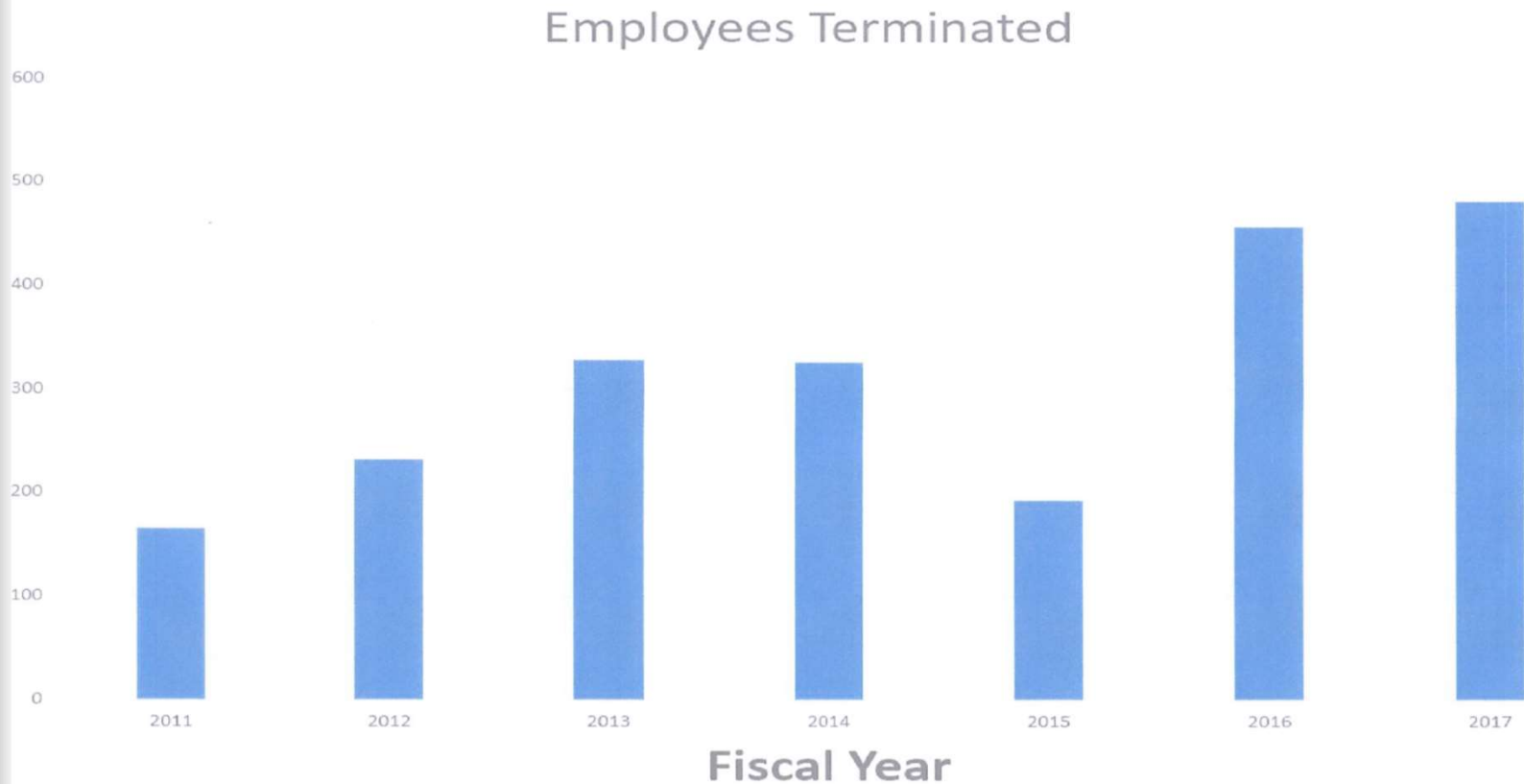
Data on What Has Been Lost

Number of **Applications** per Announcement versus **Employees Leaving**



Data on What Has Been Lost

Employees **Terminated** by Fiscal Year

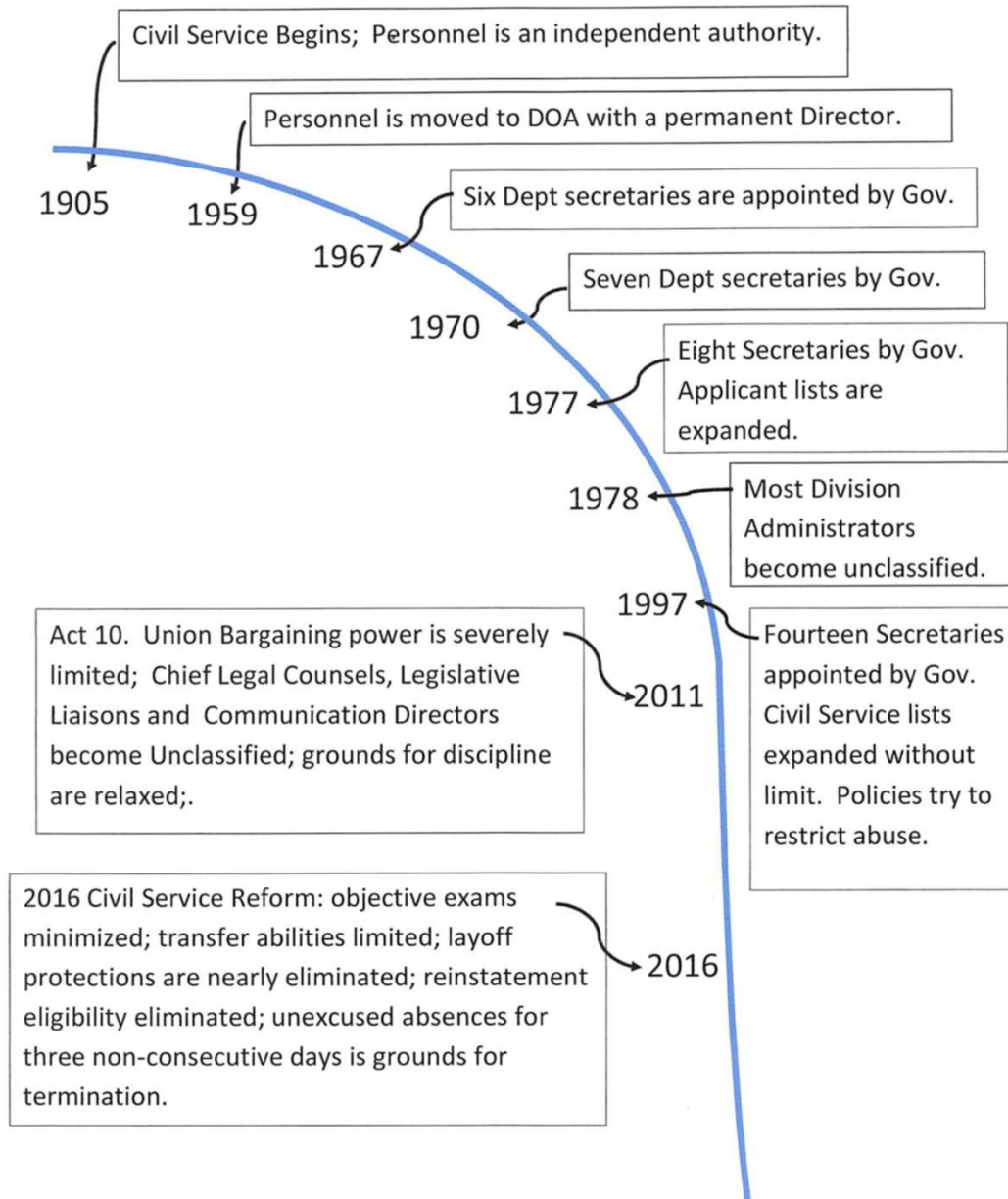


Data on What Has Been Lost

The number of traditional grievance arbitration and civil service appeals have declined. WERC Data

Major Case Type	FY15-16	FY16-17	FY17-18
Grievance Arbitration	48	45	33
Mediation	40	28	25
Initial Elections Petitions	41	14	23
Unfair Labor Practice Complaints	17	13	8
Declaratory Rulings	5	2	3
Independent Hearing Officer Requests	15	3	11
State Employee Civil Service Appeals	136	84	87

The Slippery Slope of Expanding Executive Influence on Hiring: (Both Parties Do It)



Dipping

- **When administration changes, those holding unclassified positions are quickly dipped into specifically created or vacant classified positions by the outgoing administration.**
- **Wis. Stat. 230.20 [merit selection without political consideration] and 230.43 [misdemeanor for willfully favoring non merit selection] are routinely ignored laws..**

Federal Civil Service

- **2.79 M employees under federal civil service**
- **384,000 VA employees**
- **Only 4 senior managers heard “You're fired!” after 2017 VA Accountability Act. But 1700 low-level staff heard it.**

Oppose Privatization, Support a Good Contract at the VA



- **68 rallies on June 5th nationwide**
- **Madison rally June 24th at the VA Hospital**

What Can Be Done to Restore Civil Service

- **Restore Respect for Public Service**
 - Tony Evers Executive Order 2 and Positive Reinforcement Actions
 - Restore Science at DNR
- **End Politicization in State Agencies**
 - Strengthen Civil Service Hiring.
 - Appoint Qualified Professionals to Head Agencies and Personnel Management
 - Restore Hiring Delegation to Those Doing the Job [Appointing Authorities]

What Can Be Done to Restore Civil Service

- **Education and Training - Public**
- **Atmosphere of Assured Policy of Effective Enforcement Against Abuses and Intimidation.**
 - **Hatch Act – Wis. Stat. 230.40**
 - **WERC – Meaningful Opportunity, Reasonable Time, Process, Restore Three Commissioners**
 - **Unions – Effective Right of Grievance and Self-Organization**

What Can Be Done to Restore Civil Service

- **Appointment of Independent, Empowered Director of Merit Recruitment and Selection**
- **Executive Actions:**
 - **Executive Orders**
 - **Administrative Rules - Implementation and Changes, Policy Guidance**
 - **Item Veto Power**

What Can Be Done to Restore Civil Service

- Collection of Data
- Legislative Analysis
- Audits and Investigations
- Advocacy
- Legislation
- End Gerrymandering –Same
Concept: **Serve Public**

Who Can Restore Civil Service

- **You:**
 - Speak Out on Matters of **Public** Importance
 - Learn Rights and Train Others to Know and Exercise to Support **Public Service**
 - Taxpayer Lawsuit. ACE v. Klauser
 - Vote
- **All of Us/Public:** Organize
 - Coalition to Restore Civil Service
 - Join and Support Goal

Next Steps?

Questions and Comments

- **Meet Again? When? Challenging Situations?**
- **Innovations that Worked or May Work?**
- **How to Measure Success?**
- **Positive Experiences to Share?**

Summary

Purpose of Civil Service – SERVE PUBLIC

- How Achieved – **Enforcement**
- What Lost – **Merit Recruitment, Retention, and Fairness**
- What Can Be Done to Restore – **Respect, Executive Actions, Education, Training, Sound Administration, Analysis**
- Who – You, Us, **Public**, **Coalition to Restore Civil Service**