

As Terry Newell (2016) points out: public servants have a dual role, as program administrators and also as responsible citizens, both demanding service with ethics and honor. Not only must values be balanced, but also service with honor requires balancing this duality of sometimes compatible and other times conflicting roles.

SUMMARY AND CONCLUSION

Managers need to be prepared for a variety of challenges and, as we pointed out at the beginning of the chapter, must make sure that “government has the right people, and the right systems, and ensure the right intentions” (Ehrenhalt, 1998, p. 11). Like Maria Hernandez in the opening section, officials must be able to juggle frenetic work schedules and ensure that personnel issues are not lost in the flurry of daily operations. Administrators must work with (or against) challenging trends such as managing a workforce with highly divergent generational values and expectations, recruiting and motivating a workforce in an antigovernment era, finding ways to innovate and reengineer to counter lean budgetary resources, working within significant personnel shortages, and meeting ever-changing productivity demands. Of course, these constraints are not necessarily unique to government agencies and public sector management.

In terms of systems, we have reviewed the many different ways that human resource management can be organized. Some medium-sized agencies use a centralized model, some devolve responsibilities to HR personnel dispersed in various units, and some use the central HR agency for policy functions and decentralize operations, which is common in larger governmental systems. HR departments typically share responsibilities with line managers, but also occasionally with general counsel, payroll, the executive office or officers, specialized departments such as ones set up for training and development, and/or a civil service commission.

Human resource issues, like other aspects of government, change and evolve. Reforms can emphasize different values and concerns, such as efficiency, economy, fairness, and high performance. The recognition that many issues and the alternatives for addressing them are not new, but rather are recurring manifestations of problems and solutions from earlier historical periods,

is fundamental. The waves or *tides* of reform can reflect different corrective emphases—scientific management, war on waste, watchful eye, and liberation management. Good managers are able to retain the best of the past and reform what has become dated or dysfunctional. As Franklin D. Roosevelt observed, “A government without good management is a house built on sand.”

Effective human resource problem solving also requires that managers combine appropriate human resource principles with the right intentions. Defining core values and being guided by bedrock principles help administrators make the critical ethical judgments often needed in resolving nettlesome human resource issues. Those principles include understanding how the career public service operates, with its merit approach; fostering legal compliance and understanding non-civil service systems; understanding that the public has rights that relate to human resource management beyond merit principles; and providing leadership for public sector organizations. Public values are continuously changing, and managers must recognize and guide the change process while being constant in ethics and flexible in method. As Thomas Jefferson said, “In matters of style, swim with the current; in matters of principle, stand like a rock.” Managers must decide, amid the turbulence in the public sector environment, when to swim with the current and when to stand against it, not succumbing to pressures that would compromise core values and ethical principles. Further, administrators must be able to help their employees develop the ethical compasses they need to deal with more sophisticated ethical challenges.

The chapters that follow highlight the practices, paradoxes, problems, and prospects facing those who must function simultaneously as technically skilled managers and as change agents in the 21st-century public service.

- Disciplining an employee for going on a binge of purchasing activity at the end of the fiscal year
- Reprimanding those who shirk distasteful responsibilities or scapegoat others for their personal failures
- Reporting to supervisors observations of employee loafing and loitering
- Coping with pressure to reassign newly hired minority supervisors because they do not “appear to fit” the prevailing organizational culture
- Questioning the high pay levels and job security given to core staff when employees on the periphery are paid low wages and offered minimal job security

In dealing with issues of legality, ethics, and fairness such as those listed above, managers are indeed required to weigh competing pressures. They are often squeezed from above and below in resolving such matters. Officials are also expected to conform to the organization’s stated values and ethics codes. At a minimum, they must communicate the organization’s policies and codes to employees. Ideally, such policies or codes should be brief, be clear, and provide practical guidance to help managers and employees deal with problems. Typical provisions might include policies regarding conflict of interest, gift giving or receiving, confidentiality, sexual harassment, political activity, equal employment opportunities, and moonlighting (Eskridge, French & McThomas, 2012; Grobman, 2007; Svava, 2012; Van Wart, 2003). If policies or codes are adopted, they also need to be observed, so that there is no gap between expectations and behavior.

The strategies for ensuring integrity at work—**moral management**—might differ from setting to setting and from one subsystem to another, but ethics management is an important responsibility for administrators. The following are some of the approaches to ethics management addressed in the personnel literature (Bowman & West, 2018; Frederickson & Ghore, 2013; Menzel, 2017; Newell, 2015; Richter & Burke, 2007; Svava, 2015; West, 2016):

1. Modeling exemplary moral leadership to top officials
2. Adopting an organizational credo that promotes aspirational values
3. Developing and enforcing a code of ethics
4. Conducting an ethics audit
5. Using ethics as a criterion in hiring and promotion
6. Including ethics in employee and management training programs
7. Factoring ethics into performance appraisal
8. Anticipating and Planning for ethical blind spots
9. Serving with honor

Exhibit 1.10 Principles and Values Undergirding Ethics in the Public Sector Today

Principles	Positive Public Sector Values
Understand the values inherent in the career civil service	<ol style="list-style-type: none"> 1. Recruit qualified employees incorporating diversity. 2. Treat employees fairly and equally, respecting their privacy and constitutional rights. 3. Furnish equal pay (and benefits) that is commensurate with the market. 4. Expect employees to maintain high standards of integrity, conduct, and concern for the public interest. 5. Require efficiency and effectiveness. 6. Provide appropriate levels of supervision, performance, and discipline. 7. Offer appropriate levels of training. 8. Safeguard civil servants from political intrusion. 9. Safeguard employees who disclose unlawful action or gross mismanagement.
Foster legal compliance and integrate non-civil service systems as appropriate	<ol style="list-style-type: none"> 10. Give deference to political leaders. 11. Work with and support non-civil servants in the private and nonprofit sectors to achieve efficiency and economy when they are working on behalf of the public good.
Understand that the public has rights beyond merit principles	<ol style="list-style-type: none"> 12. Ensure transparency of public information. 13. Protect the privacy of citizen's personal information. 14. Supply citizens with easy, understandable access to public services. 15. Afford citizens the greatest degree of voice in public affairs as possible. 16. Ensure citizen's due process rights.
Provide leadership for public sector organizations	<ol style="list-style-type: none"> 17. Provide well-designed innovation in programs, technologies, processes. 18. Foster risk-taking to promote innovation and required change, but make sure that it is minimized, reasonable, and authorized.

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Merit and merit-light systems dominate advanced democracies, and managers must internalize the rules or principles of these systems. While increased flexibility in hiring and removal has become more common, even the more dramatic reforms do not advocate the elimination of the values that undergird merit principles in general. Merit principles and values undergirding ethics in the public service today are listed in Exhibit 1.10. **Merit systems** ensure the high-quality hiring processes, fairness, integrity, diligence, and competence so important for the long-term integrity of government. They do this by keeping politics at arm's length, thus providing a permanent workforce defined by **neutral competence** rather than by political loyalty (Bowman, West, & Beck, 2010). Principles and values undergirding ethics in the public sector today are listed in Exhibit 1.10. Traditional merit systems have emphasized fairness by maximizing consistency with predetermined rules, due process, and pay standardization. **Merit-light systems** function in an orderly way on the basis of qualifications, performance, and competitive selection, but in comparison with full merit systems they allow more managerial discretion in the determination of recruitment, promotion, rewards, and punishments. Full merit systems tend to be somewhat prone to rigidity, whereas merit-light systems are vulnerable to political and managerial cronyism. (This principle is roughly similar to the values in scientific management.)

2. *Foster legal compliance and integrate non-civil service systems as appropriate.* Public employees, from elected officials to rank-and-file workers, agree that the public's interests must be foremost and the rule of law unquestioned. Ensuring compliance with the letter and spirit of the law must be a staunch value of public servants.

Increasingly accommodating the requirements of civil servants and non-civil servants is important. Civil servants have their specialized systems, relying heavily on merit principles internally, but must also work with and integrate other types of non-civil service personnel systems. First and foremost, the civil service is a subordinate part of a larger democratic political system. The political system interprets *merit* largely through the ballot box and appointment for the highest-level policy positions (e.g., a governor and his or her department heads and the division directors under the department heads), rather than through organizational rationality, as is true of the civil service. Understanding and respecting the political system and the role of political masters is critical for managers and leaders in administrative systems.

Public services historically have been delivered largely by civil service employees; however, the use of alternative mechanisms has increased (e.g., purchase of service agreements, privatization, franchise agreements, subsidy arrangements, vouchers, volunteers, self-help, regulatory and tax incentives). These arrangements affect managers by redefining relationships with service providers, altering control structures, and reshaping administrative roles (Klingner, 2009). Thus, managers have to work with the private and

- Ideas borrowed from the private sector and accepted blindly often create more problems than solutions.
- Empowerment initiatives frequently have uneven results.

Overall, civil service reform efforts have experienced a combination of success, failure, and something in between (Bowman, 2002; Bowman, Gertz, Gertz, & Williams, 2003; Bowman & West, 2007; Brewer & Kellough, 2016; Coggburn et al., 2010; Condrey & Maranto, 2001; Jordan & Battaglio, 2014; Kellough & Nigro, 2006; Perry, Wise, & Martin, 1994; Pfiffner & Brook, 2000; Stein, 1994; Suleiman, 2003; U.S. OMB, 2014; West, 2002). One lesson is that when change advocates leave office, reform quickly loses salience as an issue.

The impetus to improve performance and reduce costs, stated goals of the Clinton, Bush, Obama, and Trump administrations and implied objectives of the Winter Commission, will remain even if the strategies for achieving such goals change. Similarly, it is likely that various forms of experimentation with new approaches to human resource management will continue. These reforms are part of the public service heritage and continue the ebb and flow of the various tides—scientific management, war on waste, watchful eye, and liberation management.

In the next section of this chapter, the discussion shifts from what is changing to what remains constant.

HUMAN RESOURCE MANAGEMENT PRINCIPLES

Administrators need to be mindful not only of the dynamic environment and the reforms that occur in it but also of overarching principles that endure in human resource management. Four such principles, in particular, should be in the forefront of managerial thinking related to human resource management. (The following list is extensive but not entirely comprehensive of the types of values inherent in the public service today.) Note that the four categories are similar, but not identical, to the four Tides of Reform discussed earlier. These principles are further explored in subsequent chapters. Managers must adhere to the following principles:

1. *Understand the values inherent in the career public service.* Yet, because the public's interests are many, there are many roles for public service. Stakeholders expect civil servants to do many different things (ensure effective government performance, implement controversial social policies, respond to political imperatives, and others). Often civil servants are called on to respond to conflicting pressures simultaneously, and managers need to provide leadership in reconciling competing demands (e.g., designing layoffs to balance the budget and simultaneously addressing other factors, such as adhering to the principle of seniority, complying with equal employment opportunity and affirmative action requirements, meeting performance standards, and ensuring organizational effectiveness). An overriding priority of the core of the civil service, however defined, has been and will continue to be an ethos that insulates it from political manipulation in staffing and encourages disclosure of wrongdoing or gross mismanagement.

These recommendations for increased managerial flexibility echoed suggestions from the National Commission on the Public Service (1989, 2003) and resembled parallel observations from the Clinton administration's National Performance Review and the Bush administration's Management Agenda (Thompson, 1994; Thompson, 2007). The recommendations of these commissions continue to be relevant, as they guide jurisdictions in shaping human resource management policies.

Subnational reforms have included significant changes to the civil service system, generally reducing civil service protections. The first state to undertake such reforms was Georgia, which withdrew merit protection for all new state employees beginning in 1996; Arizona followed a similar pattern in 2012, making state employment primarily at-will. Florida's substantial reform in 2001 withdrew civil service protection from more than 16,000 managers, making them at-will employees who could be terminated for any or no reason not contrary to law (West & Bowman, 2004). Six other states have also experienced notable reforms (Massachusetts, Minnesota, New Jersey, Ohio, Oklahoma, and South Carolina). Reforms are most common in classification (reduction or increase in the number of job classifications, consolidation or broadbanding of classifications), compensation (pay for performance, noncash incentives, bonuses, incentive-based pay), and performance evaluation (performance plans and standards). Managers' ability to complete their tasks successfully depends, in large measure, on their ability to attract, develop, motivate, and retain top-quality employees—the essential functions of human resource management. Reform efforts are designed to help managers meet these responsibilities.

Since the beginning of the Great Recession in 2008, pension reform has been seen in most U.S. states (addressed in Chapter 8), and many (such as Wisconsin) have introduced reforms limiting the scope of influence of unions (see Chapters 11 and 12).

The prognosis for reform efforts is more mixed than might be expected given the emerging consensus that formed in the mid- to late 2000s. Efforts to reform human resource management have not been without their critics and skeptics (e.g., Bowman & West, 2007; Brewer & Kellough, 2016; Bowman, West, & Gertz, 2006; Coggburn et al., 2010; Elling & Thompson, 2007; Hays & Sowa, 2007; Kearney & Hays, 1998; Kellough & Nigro, 2010). Following is a sampling of some of the shortcomings of reform efforts, according to critics:

- The role of public servants (e.g., privatization, downsizing) is undermined.
- Results fail to meet expectations (e.g., pay for performance).
- Too few people with the necessary skills (e.g., contract negotiating and auditing) are attracted to public service.
- Performance rewards (bonuses) are underfunded.
- Oversight of the public service (decentralization, deregulation, outsourcing) is reduced, inviting corruption.
- In-service training for continuous learning and planning is frequently inadequate.
- Pursuit of quick successes via downsizing too often takes precedence over improving performance.

Labor and Education, privatize the Postal Service and reorganize the Office of Personnel Management [OPM].

The Trump proposal to reorganize the Office of Personnel Management and a series of executive orders received mixed reactions from stakeholders. Supporters of reforming OPM saw it as a way to elevate the federal workforce policy functions by putting the agency on a par with the Office of Management and Budget within the Executive Office of the President to improve operational efficiency, achieve economies of scale and reduce costs, and focus on the strategic elements of the agency's mission. Opponents viewed the reorganization of OPM as a threat to its independence and oversight functions, a move that could potentially politicize the agency and vitiate employment protections for federal workers, an effort to eliminate essential programs and public service jobs, and a proposal that should require bipartisan agreement and consultation with all those with interests at stake.

Portions of the administration's reorganization plan may not have caused as much push back if they had not surfaced on the heels of Trump's multiple executive orders making it easier to fire federal employees faster, excluding dismissal disputes from grievance procedures, weakening unions and due process, and curtailing official time for union leaders paid by the government to represent all employees in the bargaining unit (see more on the executive orders in Chapter 11). At the time of this writing, the Trump proposals are exactly that; Congress had not weighed in on those portions of the reorganization plan that required legislative approval (see Balutis, 2018; Bernstein, 2018; Bur, 2018; Clark, 2018; Davidson, 2018; Katz, 2018; Neal, 2018a, 2018b; Risher, 2018; Shoop, 2018; Smith, 2018; and White House, 2018 for description and commentary regarding the reorganization plan).

State and Local Levels

The National Commission on the State and Local Public Service, commonly known as the Winter Commission, published a report in 1993 outlining an agenda targeting, among other institutions, civil service systems. The human resource portion of this report diagnosed *civil service paralysis* as a problem and prescribed deregulation of government's personnel system. Favoring a more flexible and less rule-bound system, the Winter Commission recommended the following:

- Greater decentralization of the merit system
- Reduced reliance on written tests
- Rejection of the rule of three and other requirements that severely restrict managerial discretion in selecting from a pool of eligible applicants
- Reduction of the weight given to seniority and veterans' preference
- Reduction in the number of job classifications
- Implementation of less cumbersome procedures for removing employees from positions
- Greater portability of pensions, enabling government-to-government mobility
- Greater flexibility to provide financial incentives for exemplary performance by work teams

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hesitated to implement pay-for-performance reforms or offer performance bonuses (see Chapter 7) out of concern that this would introduce tension and resentment in the workplace; many civil servants suspected that the reforms were simply an excuse to downsize and reduce pay and benefits (Kuhlmann & Roeber, 2004, pp. 19, 21). Nonetheless, the culture has been made more responsive. Following worldwide trends, the head civil servants (equivalent to permanent secretaries in the British system) now have terms rather than tenure. The privatization

of the railway system and the post office and the introduction of e-government are other reforms that have been implemented since 2000. Today, the German public service is considerably smaller than it was in the 1990s (Kuhlmann, Bogumil, & Veit, 2014).

Government reformers hope that the features that rendered German civil service the proudest of professions in the past have not hindered contemporary performance in a profession still much revered by the public and one considered to be among the least corrupt in the world (Freedom House, 2013).

process mapping with streamlined, plain-language job announcements, involvement of management in the hiring process, and timely applicant notification. The OPM facilitated the sharing of best practices across agencies and holds training academies to disseminate information on successful hiring strategies. Metrics were used to evaluate manager involvement and satisfaction with the process (Moore, 2014).

In seeking to improve employee satisfaction and promote wellness, the OPM instructs managers to review the Federal Employee Viewpoint Survey (formerly the Federal Human Capital Survey) to identify items and indexes on which their units scored lowest in comparison to the rest of the government and to isolate items and indexes on which employee satisfaction declined in their units since the prior survey. The administrators are then charged with determining the reasons for worker dissatisfaction and work with labor organizations (where appropriate) on strategies to improve worker satisfaction. Managers must create action plans with improvement targets specified. Regarding wellness, managers are expected to inventory current wellness activities (e.g., fitness facilities, health clinics) and to develop agency performance metrics for assessing wellness as well as to collect cost and utilization data. Health and wellness improvement targets and plans are submitted to the OPM with annual budget requests.

To address breakdowns in the current civil service system, the National Academy of Public Administration's [NAPA] (2017) report, *Building a Public Service for the 21st Century*, recommends reforms built upon a three-legged stool that: gives agencies the flexibility to create systems to meet the needs of their missions; upholds core merit principles; and creates a "governance and accountability structure" to balance the two (p. 39). In 2018, the Trump administration focused on the dysfunctions of the human capital system with a host of reform initiatives. Like the NAPA proposals, the Trump plan supports evidence-based policies to strengthen the quality of information used by federal agencies, the need to move from paper record keeping to digitization and performance metrics, emphasis on cybersecurity issues, promotion of public-private partnerships, and greater involvement of modern technology to improve the customer experience. The President's Management Agenda included a reorganization plan that harkens back to scientific management and war on waste themes of efficiency and economy in recommendations to merge the Department of

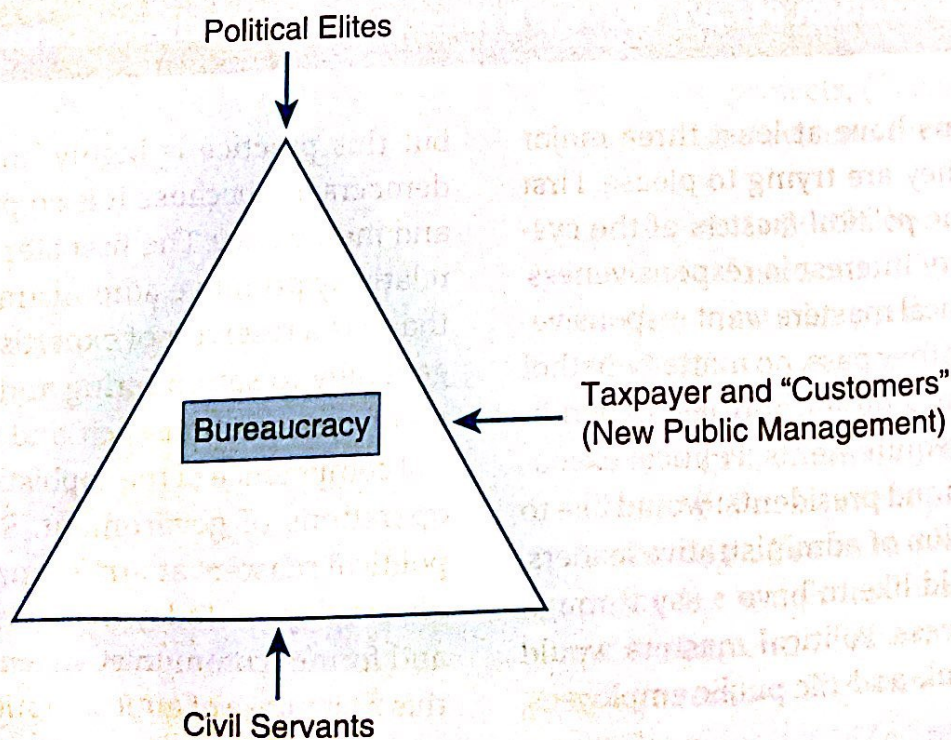
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The second constituency that a civil service system must please consists of the bureaucracy and civil servants themselves, whose primary interest is professionalism. At a minimum, they want to ensure that they are recruited fairly (i.e., based on their technical merits), that their agencies' actions are consistent with widely held professional standards, and that they will be able to use their professional judgment within the confines of legal parameters without political intrusiveness. This dovetails well with the need to keep political elites away from the day-to-day management of personnel or detailed policy implementation. However, over time, problems can seep into civil service systems. Bureaucrats can become too comfortable and secure, resulting in outmoded or poor performance. For example, political elites can set up so many safeguards for performance that the transaction costs of compliance become very high and experimentation is discouraged. Most advanced democracies have been dealing with these issues since the late 1970s. One response is modernization—that is, to update systems technologically, to rationalize and streamline overlapping or

outdated legislation, and to require new performance standards. Modernization has been much promoted in continental Europe.

The third constituency to be pleased comprises those being served: taxpayers and "customers," whose primary interests are efficiency and service. Taxpayers want the lowest cost for the most service, which is to say good value. Customers generally want the best service possible no matter the cost, since they rarely pay directly or their fees are subsidized. In traditional administrative systems, few opportunities for meaningful attention to complaints exist; generally political or judicial remedies are required, and this sets a high bar for complainants. However, other ways to control for efficiency include setting up competition (e.g., contracting out services) and improving service by implementing rigorous customer responsiveness measures. This perspective is representative of the New Public Management (NPM). NPM has been the preferred reform approach of most of the Anglo world and Scandinavia, but it has not left continental Europe untouched, as Exhibit 1.9 illustrates.

Sources of Competing Demands and Values in Reform



Source: Van Wart, Hondeghem, and Schwella (2014).

Exhibit 1.9 Germany's Civil Service: Prestige or Performance?

The German civil service is based on the concept of the *Rechtsstaat*—the “rule-of-law state” that transcends political divisions and acts in the name of all citizens on the basis of administrative law. After World War II, the system was decentralized to put the focus on regional and local civil service. The German federal bureaucracy is thus relatively small, with the bulk of civil servants working in the 16 *Länder* (states) and local governments.

The foundations of the German civil service are designed to make public service the most highly respected of all professions (Dahrendorf, 1969, pp. 235–241), since civil servants act in the name of the state and reinforce constitutional principles. As of the late 1990s, there was an “overabundance of candidates for a small number of positions” in German public administration, leading to “a rise in the number of higher educational degrees and thus to an oversupply of highly-qualified persons” (Rothenbacher, 1997, para. 34), due largely, no doubt, to the traditionally high status, pay, and benefits that accompanied public service careers in Germany. Government leaders have been attempting to change what has been considered to be an overly bureaucratic civil service system since the 1970s.

After the incorporation of the former East Germany into the Federal Republic of Germany (and its inflated bureaucracy) and the consequent financial crises at all levels of government after 1990, reformers in government managed to initiate a series of personnel management reforms in 1997, when the German parliament passed the Civil Service Reform Law. The goal was to improve technical performance and rationalization (modernization) and managerial flexibility and customer focus (NPM) through the following measures:

- Increased employee productivity in the context of reduced costs and personnel downsizing

- Integrated personnel management to enhance staff productivity and satisfaction
- Probationary periods for promoted individuals, with the option of denial of promotion
- Performance measures and personnel evaluations based on results, not process
- The ongoing motivation of employees to excel
- Promotion and pay based on performance, not seniority
- Increased flextime and part-time work
- Soft management techniques to improve organizational culture and leadership development
- Outsourcing of public services to commercial and nonprofit organizations

Not surprisingly, the personal, political, and structural resistance to reforms was great. Civil servants who were used to generous salaries and benefits, as well as clear guidelines about promotion and pay, rebelled against performance-based outcomes and probationary periods, the elimination of their traditional 13th month paychecks, and reduction in pensions (Zagelmeyer, 1997, pp. 2–3). Germany's public service trade unions, more influential than those in the United States, for example, strongly resisted the reforms that reduced benefits or job security (see Chapter 12). A system based on codified administrative law does not easily adapt to management reforms that emphasize autonomy and creativity in the middle layers of the bureaucracy. Administrative managers tended to view personnel strategies in terms of cost rather than productivity (Kuhlmann & Roeber, 2004, p. 21). Supervisors

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