

CITY HALL



# SYSTEM UPGRADE

## Retooling New Orleans' Civil Service

**Executive Summary**  
**August 2004**





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The full report and related links are available on BGR's website, [www.bgr.org](http://www.bgr.org).  
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# Executive Summary

## Introduction

In 1935, three years after its founding, BGR called for an end to the spoils system in New Orleans. At that time, one typically obtained city employment by going to the precinct captain of the group in power who, in turn, went to a ward leader. All conditions of individuals' employment were subject to the approval of political operatives. Competency was not an issue.

Firing and promotion were likewise dominated by politics. A change of administration would throw city government into chaos, as employees were discharged to make way for the protégées of the victors.

BGR observed that the City would be better managed if the employees were emancipated from the stranglehold of politicians and given the following:

- ◆ Freedom from political discharge
- ◆ Promotions based upon merit
- ◆ Freedom from the “shake-down”
- ◆ Employment based on training and ability
- ◆ Freedom to vote as they please

The citizens of New Orleans agreed, and in 1942, the State Legislature, responding to reform pressure, established a civil service system for the City. The framework for the system was later incorporated into the State's constitution. To protect employees from political pressure and to ensure that public employment was based on merit, civil service officials were given two sets of powers: the power to oversee discipline and the power to administer and regulate the classified service. The latter power placed them in the role of personnel administrators.

Historians and political scientists generally agree that replacing the spoils system with merit principles was a step forward in public administration. There are, however, many observers who question whether the merit principle is still served by the civil service system as it has evolved and whether civil service meets the challenges of personnel management that confront governments in a world of work that has changed significantly. Many taxpayers and consumers of public services view civil service as a ticket to a lifetime job regardless of performance; top-level managers regard it as an impediment to flexible rearrangement and compensation of the work force; and some of its own proponents say that civil service makes it difficult to recruit and retain qualified workers.

Most criticisms of the traditional civil service system arise out of its complexity, rigidity and slow pace. Civil service rules are often described as byzantine and confining, civil service processes as overly bureaucratic, job classifications as too detailed, disciplinary actions as too burdensome, the effect of seniority as too pervasive, and the whole system as too slow. David Osborne (the influential co-author of *Reinventing Government*) and Peter Plastrik, the co-authors of *Banishing Bureaucracy*, published the following lament:

*Imagine working in an organization that makes it so hard to fire nonperformers that managers have quit trying. Imagine hiring from a list of the three top scorers on a written test that has little to do with future performance on the job. Imagine routinely losing your best employees because you can't pay them what they're worth. And imagine enduring layoffs in which those with seniority “bump” other employees—so when 100 people lose their jobs, 400 more play musical chairs, winding up in jobs they aren't trained for and don't want.<sup>1</sup>*

The National Commission on the State and Local Public Service succinctly summarized the dilemma: “America’s civil service was invented 100 years ago to guarantee merit in the hiring process. Sadly, many state and local governments have created such rule-bound and complicated systems that merit is often the last value served.”<sup>2</sup>

### **Trouble in the Crescent City**

In New Orleans, there are signs that the City’s human resources system is dysfunctional. In a report card from the Government Performance Project 2000, published by Congressional Quarterly, the City of New Orleans received an “F” in Human Resources. Weaknesses cited included a general hiring freeze and layoffs announced about the same time as raises for political appointees, no formal work force planning, performance evaluations that are “virtually worthless,” and “terrible pay levels and no financial rewards for performance.”<sup>3</sup>

Responsibility for the various areas covered by the report card is distributed among the City’s administration, the Civil Service Commission and Department, and in some cases, the City Council. In this report, BGR describes the operation of the City’s human resources system and examines two issues raised by Congressional Quarterly’s report:

- ◆ To what extent is the civil service system contributing to weaknesses in the City’s human resources management?
- ◆ What can be done to create a more effective and nimble personnel management system?

### **Do We Need Civil Service?**

A threshold issue confronted by BGR in preparing this report was whether there is a continuing need for civil service protection. If rampant political patronage and political pressure on employees no longer pose a threat, the *raison d’etre* for the system has disappeared.

Two recent examples demonstrate that patronage hiring and political pressure on public workers are clear and present dangers. In January 2003, the newly elected district attorney fired 20% of the office’s work force in one day. In October 2003, the Louisiana Supreme Court removed from office a New Orleans Civil District Court judge who had threatened to fire those staff members who did not sell an allotted number of tickets to his fund-raiser.

These cases indicate a continuing need for a system that protects public employees from political manipulation.

### **The New Orleans Civil Service System**

New Orleans’ civil service system regulates the employment of all classified employees of the City, its agencies and boards, and the Sewerage and Water Board (S&WB). Classified employees include all employees whose positions are not designated as unclassified in the Constitution of the State of Louisiana of 1974 (Constitution) or by act of the Civil Service Commission (the Commission). Currently, there are approximately 6,500 classified and 300 unclassified city employees.

The system is governed by the Civil Service Commission, an independent body of five citizens. Four commissioners are appointed by the City Council from nominations by presidents of local private universities,

and a fifth, an employee, is picked by the Council from among the top three in an employee election. The Commissioners appoint the director, who manages the constitutionally created Civil Service Department.

The Commission has broad rule-making and subpoena powers for the administration and regulation of the classified service. It can enact rules governing employment, promotion, demotion, suspension, reduction in pay, removal, eligibility, qualifications, political activities, employment conditions, compensation and disbursements to employees, and other personnel matters and transactions. These rules are codified as the *Rules of the Civil Service Commission, City of New Orleans (Rules)*. The Commission also has the power to adopt a uniform pay plan and require the City to institute an employee training and safety program. The Commission's rules have the force of law; those affecting wages and hours become effective only when approved by the City Council.<sup>4</sup>

The Constitution gives the Civil Service Department a key role in the hiring and promotion of classified employees. The City can hire or promote such employees only from a list of candidates certified as eligible by the Civil Service Department under a general system based upon "merit, efficiency, fitness, and length of service, as ascertained by examination which, so far as practical, shall be competitive."<sup>5</sup> At least three names must be certified. It stipulates little else with regard to the operation of the department, allowing significant changes to the civil service system without constitutional amendment.

In addition to its regulatory and administrative roles, the Commission performs a judicial function. Permanent classified employees who are disciplined and any

classified employees claiming discrimination can appeal to the Civil Service Commission, which has the exclusive power to decide all removal and disciplinary cases. Either party may appeal decisions of the Commission to the Louisiana Fourth Circuit Court of Appeals.

## **An Inefficient, Inflexible System**

Although the Constitution does not dictate it, New Orleans' civil service system currently operates under a traditional, centralized civil service model. In such systems, most steps taken in personnel matters are not official until the civil service department has either done it or explicitly approved it. The announcement of job vacancies, the acceptance of applications, the scheduling of tests, the scoring of tests, and the construction of a list of eligible candidates are all functions of the central office. Typically, the hiring agency is presented with a list of eligible candidates from which it must pick.

Promotions require the same sequence of events. Compensation depends on job classifications that are determined by the civil service department, and the principle of equal pay is enforced through a uniform pay plan, also administered through the central office. The system spawns a vast body of rules, the sheer complexity of which solidifies the control of the central personnel office.

Predictably, New Orleans' human resources system suffers from the flaws inherent in a rule-bound and bureaucracy-laden system. It is simply too complex and cumbersome, and often too slow, to meet the challenges of hiring and retaining an effective government work force. The system is beset with problems and inefficiencies at every level. In many cases, bureaucratic steps created in the name of merit

*New Orleans' human resources system suffers from the flaws inherent in a rule-bound and bureaucracy-laden system.*



ultimately work against the production of the most qualified work force. In addition, efforts to hire and reward high performers are handicapped by a number of failings and systemic problems, including a lack of flexibility in hiring and compensating employees and a meaningless evaluation system.

It should be noted that not all the problems with the City's human resources system are the fault of the civil service system. In some cases — such as worthless evaluations, poor communication at the cabinet level, and lack of work force planning — responsibility for failures is primarily that of city management. Furthermore, many of the City's personnel problems flow from the low pay levels for city workers — a matter that is clearly outside the control of the Civil Service Department.

## Problem Areas

The City's human resource problems include the following:

*Recruitment.* Recruitment efforts are low-tech, anemic, and less than welcoming for applicants. The City's website does not list openings. Except in special cases, classified city jobs are not even listed in the employment section of the newspaper; they appear instead under official notices.

Comprehensive listings of jobs for which the Civil Service Department is accepting applications are found in the basement of City Hall on a 25-foot length of wall. (Such jobs are not necessarily open.) The passive, discouraging system is not likely to produce the best and the brightest candidates.

*Selection Process.* The selection process, in which the Civil Service Department plays a central role, consumes an inordinate amount of time. The Civil Service Department, working with management, determines the eligibility requirements for each type of job, and, except for minimal skill jobs, conducts testing and ranking, and determines who is eligible for consideration. The names of those approved for consideration are placed on a register, a certified list of eligible candidates from which departments can hire. In 2001, the average time between a department's request for and receipt of a list of qualified applicants was 32 days. BGR was unable to obtain reliable information on the duration of other steps in the process.

*Promotions.* Other aspects of the civil service system undermine productivity and merit by failing to recognize and reward achievement. Civil service basically operates as a closed shop, effectively excluding outside candidates from consideration for most jobs above the entry-level. Because evaluations are virtually meaningless, in many cases promotions are in effect based solely on seniority.

*Inflexible Pay Plan.* The City's pay plan works against the concept of merit. Operating on the premise that pay should be uniform for jobs of equivalent knowledge, skills, and ability levels, the Civil Service Department assigns each job a classification with comparable jobs and places it in one of 87 pay grades. Each grade begins 2.5% above the previous one, and

has within it steps representing 1.25% increases. Everyone in a given classification must be hired at a designated rate.

There are four ways to increase pay: the adoption of a new pay plan, across-the-board raises, 2.5% longevity raises given automatically after one year and then every five years, and through promotion to a higher classification. Incentive pay options are very limited. Individual pay-for-performance raises in multiples of 1.25% are allowed if a department submits to the Civil Service Department documentation “detailing specific justification.” (*Rules, Rule IV, Section 2.5 (G)*) No department has ever presented such a request to the Civil Service Department. A pilot incentive pay program is in place for pipe repair crews at S&WB.

Ironically, the focus on equal pay for equivalent types of jobs undermines the concept of merit by failing to recognize variations in the quality of job performance. The rigidity of the plan places management in an unrealistic straight-jacket and gives rise to distorting games designed to provide flexibility without changing the inflexible framework. These include the multiplication of classifications in efforts to raise pay for individuals or groups of employees.

*Low Pay.* Pay levels for classified workers are low and in many cases uncompetitive. Even after the pay raises that took effect in July 2004, 2,011 full-time civil service employees were earning salaries below \$18,850, the urban poverty threshold for a family of four. Pay raises have not kept pace with inflation.

*Meaningless Evaluations.* The concept of merit is mocked by a meaningless evaluation system. The Nagin administration, when it came into office, found that only 19 of nearly 6,000 employees were rated as needing improvement; two were consid-

ered incompetent. The 2002 ratings done under the Nagin administration show almost no change. A multi-agency team established in 2003 to address the failures of the evaluation system has made little progress in addressing this significant issue.

*Work Force Training.* BGR found little formal staff development in most departments, and little coordination between departments and civil service regarding training. Although the Fire and Police Departments have extensive job-related training, there is no citywide process or plan linking organizational goals, individual evaluations, and training.

*Bumping.* New Orleans’ civil service system incorporates one of the most baffling elements of a traditional civil service system: bumping. Bumping is the process through which an employee whose job is eliminated may (depending largely on relative seniority) claim the job of someone with less tenure who is in the same or a lower classification. It can be an incredibly messy process that wreaks havoc with the work force. While the Constitution gives a preference in layoffs to veterans and their dependents, it does not mandate the widespread bumping dictated by the current rules.

*The Slow Pace of Discipline.* One of the most pervasive myths of civil service is that employment is protected regardless of job performance. BGR’s research indicates that this simply is not true. Employees appeal approximately one-third of disciplinary actions to the Commission. In those appeals, the Commission ruled in the employees’ favor less than 20% of the time.

The table below summarizes information on appeals for the three largest employee groups and the total for all departments included in civil service.

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## A Look at the Appeals Process

### Appeal Results, November 1997-August 2002

Department	Total Appeals	Appeals as percent of Disciplinary Actions	Upheld in Employee's Favor	Modified in Employee's Favor	Dismissed in Dept.'s Favor	Other*
Police	350	35.9%	61 (17.4%)	28 (8%)	129 (36.9%)	132 (37.7%)
S&WB	104	49.3	4 (3.8%)	3 (2.9%)	52 (50%)	45 (43.3%)
Fire	34	26.8	3 (8.8%)	1 (2.9%)	18 (52.9%)	12 (35.3%)
<b>Total, All Depts.</b>	<b>753</b>	<b>31.5%</b>	<b>89 (11.8%)</b>	<b>38 (5%)</b>	<b>291 (38.6%)</b>	<b>335 (44.5%)</b>

\*This category includes, in order of frequency, failed to prosecute, withdrawn, compromised, undecided or unknown, exception upheld, action revoked, and opened in error.

Source: Civil Service Department. Calculations by BGR.

an inefficient and ineffective system of personnel administration.

Such is the case in New Orleans.

The Nagin administration has expressed frustration with the operation of the Civil Service Department. In a meeting with BGR last fall, Mayor

Nagin's top administrators referred to the Civil Service Department as an "unchecked manager" whose obstructionism goes beyond its original purpose and encourages the administration to go outside the system to get things done. They perceive that the Civil Service Department has a general resistance to change in personnel matters and that it takes the Department or Commission too long to act. They maintain that the rules need to be more flexible.

The Civil Service Department sees itself as a dedicated human resources department that has been hampered in its performance, not by its own rules or internal failings, but by forces beyond its control. These include, among others: low wages offered by city government; management failures in the area of evaluations; and the City's failure to provide adequate funding for technological improvements needed to speed processes and facilitate recruitment. The Civil Service Department has, in its view, worked hard to find solutions within the existing confines.

Both the administration and the Civil Service Department have some valid points. The civil service system is cumbersome, unnecessarily rigid, and slow.

The process is, however, extremely slow. Examining available records from 1990-2002, BGR found that the average time from appeal to the filing of a hearing officer's report was 236 days. Likewise, the average time elapsed between the filing of a hearing officer's report and the Commission's decision was 262 days – more than 150 days longer than the time permitted under the rules. From start to finish, the average time was 495 days.

*Management Information and Work Force Planning.* BGR found no evidence of regular reporting of work force data that might inform and aid management, such as analyses of recruitment, turnover, or retirement eligibility. Nor did it find any evidence of systematic administrative planning for future work force needs.

## An Unhealthy Situation

Over the years, traditional civil service systems erected ramparts, piece by piece, in the name of merit principles. These intricate sets of rules inevitably set ever tighter limits on the discretion available to managers in government. At some stage of development, these defenses became so burdensome that they were seen as paralytic by administrators. The end result was

Inadequate pay creates serious problems in the hiring arena and contributes to distortions.

The fact that there is plenty of blame to go around underscores the City's and Civil Service Commission's mutual dependency and the need for a close, cooperative partnership between the two. Unfortunately, the relationship between the Civil Service Department and the City's administration deteriorated badly during the prior mayoral administration, leading to a hostile situation and little in the way of communication. The Acting Personnel Director characterized the period, which was marked by a bruising lawsuit over the role of the Commission in privatizations, as "cave-like."

The atmosphere has become less contentious under the current administration. The Chief Administrative Officer (the CAO) and the Acting Personnel Director have met several times, and both claim to have a good working relationship that allows them to address specific hiring issues. The administration and the Civil Service Department have begun to work together to address some personnel matters, such as outdated policy memoranda and meaningless personnel evaluations.

While these are encouraging signs, the current relationship is a far-cry from the close, cooperative partnership needed to create an innovative, high-performing human resources system. The Civil Service Department remains marginalized, as is illustrated by the fact that Mayor Nagin had only one meeting with the head of the Civil Service Department during his first two years of office. There is no institutional framework to bring managers and the Civil Service Department together on a regular basis.

What we have in New Orleans is an unhealthy situation.

## Creating Momentum for Change

Transforming New Orleans' human resources management will require a major collaboration between the Civil Service Department and Commission, on the one hand, and the City's administration and the City Council on the other. They won't have to look far for guidance. A cooperative model for defining and structuring such change exists in Louisiana.

The State of Louisiana in 1999 adopted a vision for change called Advancing Services, Creating Excellence, and Nurturing Distinction 2020 (ASCEND 2020). Key features of ASCEND 2020 included: decentralizing the processing of personnel transactions by delegating authority to state agencies; reorganizing the Department of State Civil Service from functional units into assistance teams that provide human resources services to each state agency; developing an accountability program to monitor state agencies' performance and compliance with civil service rules; and introducing pay flexibility to reward performance.

Progressive management can also be achieved within a centralized system, as illustrated by the City of Phoenix, which was the only city to receive an "A" in human resources management in the survey referred to earlier. Phoenix has a Civil Service Board that hears disciplinary appeals. All other personnel matters are handled by a central personnel department, reporting to the city manager. That department works to provide nimble service to other departments in accordance with merit principles set forth in the city charter. Some of the notable aspects of Phoenix's program include a short period

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for filling most jobs (two to three weeks for most jobs) and an intense and highly valued performance appraisal program. It also offers a wide variety of monetary and non-monetary awards. It should be noted that personnel issues in Phoenix are significantly shaped by the city's relationship with strong employee unions.

Louisiana, Phoenix, and other jurisdictions have used a whole range of practices to address the problems faced by New Orleans. These include:

- ◆ The use of the internet and electronic communication to improve recruitment, accept applications, and facilitate correspondence between civil service departments and user agencies.
- ◆ The use of walk-in testing, on-the-spot scoring, and the shortening of application periods to speed up the selection process.
- ◆ Increase in managerial flexibility with respect to pay through "broad banding" (widening pay ranges for particular classifications and allowing starting pay to fall within a certain range rather than at a set minimum) and incentive pay.



- ◆ Classification simplification to provide more flexibility in reassigning staff.
- ◆ The use of facilitation and expedited arbitration in disciplinary proceedings.
- ◆ Mandatory training in personnel evaluation and the use of disciplinary procedures.
- ◆ Limitations on bumping, such as restrictions to certain job classifications.

## Conclusion

BGR's examination of the civil service system in New Orleans has led it to conclude that merit principles are still important and need protection. The civil service system is a necessary bulwark against patronage and political pressure on employees. To protect workers and the public from the ill effects of a politicized work force, the Commission should maintain its independent rule-making, oversight, and quasi-judicial roles.

Beyond the defense of the merit system, the mission of the Civil Service Department and its relationship with the City's administration should be reshaped by a new vision. BGR proposes that the Civil Service Department's role should change from being primarily a control-focused enforcer of rules to a service-oriented personnel department with independent authority to assure that merit principles are followed.

Developing an effective human resources system would require a partnership that integrates the Personnel Director (the head of the Civil Service Department) into the City's administration. Such a partnership would not require the Civil Service Commission to abdicate its responsibility for its monitoring role or its responsibility for setting the parameters needed to promote merit. It would, however, require a dif-

ferent approach to rules and procedures — an approach that makes them subservient to, and in support of, the goal of creating a high-quality, professional work force.

BGR proposes that changes in civil service in New Orleans should begin with a return to its goals. At its core, civil service should be a system that creates a professional work force for the City. The focus should be on the creation of the most productive work force possible. While the system should protect employees from political pressure and the public from patronage, it should not protect employees from legitimate competition or accountability. It should allow for the motivation and reward of productive employees.

Guided by these goals, the administration and the Civil Service Commission should pursue a relationship built on a commitment to cooperation. To provide the framework for cooperation and reform, the City's administration should explicitly accept and acknowledge the need for an independent civil service system. The Civil Service Commission should explicitly recognize the need for more management flexibility and affirm its willingness to reexamine, and where necessary, rewrite its *Rules*.

In developing and advocating a new vision for New Orleans' civil service, BGR is encouraged by the fact that the Constitution provides broad guidelines, rather than detailed mandates, for the operation of the civil service system. The Constitution does not require that the system remain as it is. It offers the flexibility to adopt, without constitutional amendment, many of the changes that have occurred in public personnel administration around the country.

## Findings and Recommendations

### 1. Creating a Positive Relationship and Momentum for Change

**Finding.** The relationship between the Civil Service Department and the City's administration needs to be redefined. It is currently characterized by minimal communication and a virtual absence of a shared sense of purpose.

#### **Recommendations**

- ▶ The City's administration and the Civil Service Commission should immediately initiate deliberate and inclusive conversations to develop an effective and efficient partnership for human resources management. Maintaining the core principles of merit selection and freedom from political pressure in city employment should be the inviolable bedrock of the discussion. Everything else, including the most sacrosanct civil service rules, should be subject to close, open-minded scrutiny and a wide-open search for the best practices to attract, retain, and reward employees.
- ▶ Leadership for initiating and maintaining communication and partnership should be provided by the mayor and the Civil Service Commission.
- ▶ Regular communication between the Civil Service Department and the City's administration should be institutionalized in the form of regular meetings between the Personnel Director, the Chief Administrative Officer, and other top administrators to discuss human resources issues.

- ▶ When the Commission hires a Personnel Director, it should select a candidate with the willingness and ability to pursue the process of changing the current culture and relationship with the City's administration. The person selected should have experience leading government or private sector organizations through major change.

## 2. Redefining Roles: Managerial Discretion

*Finding.* Management lacks flexibility and discretion, particularly in the areas of hiring and remuneration. The delegation of more authority would contribute to a performance culture and speed up processes that are currently bogged down in multiple bureaucratic steps.

### *Recommendations*

- ▶ The Civil Service Commission and the CAO should increase management's flexibility with respect to compensation by broad-banding classifications and pay. Broad-banding involves collapsing the myriad classifications into wide categories and establishing compensation ranges for those classifications. It eliminates hiring and starting rates and allows managers to establish salaries at the levels they deem appropriate within the established ranges. The City Council should give the approvals necessary to implement the changes.
- ▶ The Civil Service Commission, working with the CAO, should grant management discretion to give raises in amounts the managers deem appropriate within the applicable pay band. Raises should not be tied to promotions or fixed timetables. The

City Council should give the approvals necessary to implement the changes.

- ▶ The Civil Service Department should reduce the number of transactions that must be submitted to it for prior approval, relying on oversight to ensure that managers are operating within established parameters.
- ▶ The Commission's rule of three, limiting the applicant pool to three candidates, should apply only when there is significant competition for positions and a highly developed testing and ranking system that justifies its use. The use of alternate approaches, such as allowing managers to hire from employees whose rankings fall within reasonable bands, should be expanded.

## 3. Creating a Performance Culture

*Finding.* The current system works against achievement by failing to recognize and reward quality performance. The factors contributing to the problem are multiple, and include inadequate evaluation procedures, a lack of management training, a rigid and inadequate compensation structure, and restrictions that give too strong an advantage to current city employees. Creating a performance culture will require a multi-pronged attack on the underlying weaknesses in each of these areas.

### *Recommendations: Making Evaluations Meaningful and Productive*

- ▶ The City's administration should take the lead in a cultural change that would make performance and its measurement a core value in city employment. The Civil Service

Department should demonstrate its commitment to this goal by facilitating the process, enhancing training, and monitoring and analyzing ongoing efforts.

- ▶ The City's administration and the Civil Service Department should work together to align evaluation practices with the City's organizational goals.
- ▶ Managers who, after appropriate training, fail to conduct meaningful evaluations should be penalized. The Civil Service Department should monitor and publicly report evaluation statistics by departments.

#### ***Recommendations: Work Force Training***

- ▶ The City's administration should make a major commitment to training its work force. Departmental goals should be clearly articulated and guide training opportunities and requirements. The assessment of training needs should be comprehensive and ongoing.
- ▶ The City's administration should make training for all supervisors, including those who are unclassified appointees, mandatory. Training should address, among other things, performance evaluations, disciplinary procedures, and effective and fair disciplinary techniques.
- ▶ Training and development plans should become an integral part of individual evaluations and be tied to organizational values and goals.

#### ***Recommendation: Pay Issues***

- ▶ BGR recommends as absolutely critical a joint effort by the Civil Service Department, the City's administra-

tion, and the City Council to adopt a new pay plan that will make city salaries competitive and livable. The City's administration should develop a realistic plan to fund the increases. The plan should define specific goals that the City will reach by specific dates. As evaluations become meaningful, the use of incentive pay should be implemented.

#### ***Recommendation: Increasing Competition for Positions***

- ▶ The Civil Service Commission should severely limit or eliminate the use of "promotional only" designations, allowing non-employees to compete for positions above entry level. While longevity and relevant experience with the City should be considered, they should not be an exclusionary factor in filling positions.

#### **4. Improving the Efficiency and Effectiveness of Recruiting, Testing, and Hiring**

***Finding.*** The Civil Service Department's tightly held control can slow the process for hiring entry-level employees or filling vacancies in higher-level positions. With the exception of police recruitment, New Orleans' recruitment efforts have been almost non-existent.

#### ***Recommendations***

- ▶ The City should begin to recruit potential employees aggressively. Long-standing plans to put jobs on the internet should be expedited. The website design should allow individuals to submit applications on-line and to review their status. E-mail lists for job announcements and test schedules should be developed and kept up to date. The Civil Service

Department and other departments should designate staff members to recruit for hard-to-fill positions. The mayor and appointed officials should promote employment with the City at appropriate functions with neighborhood or interest groups.

- ▶ The Civil Service Department should streamline the selection and hiring processes. The Civil Service Department should maintain registers on the in-house network for direct access by managers and reduce the number of transactions that must be submitted to the Civil Service Department for prior approval.
- ▶ Time lines for the steps in the selection and hiring processes should be established and, if the Civil Service Department cannot meet its deadlines or if fewer than three qualified applicants are available, managers should have the right to make a provisional appointment without the Civil Service Department's prior approval (subject, of course, to the hired person meeting the qualifications).
- ▶ Managers and Civil Service Department staff should review each test to determine its value in predicting success on the job. Where quicker and equally valid methods of ranking applicants exist, the Civil Service Department should use the alternative means.

### **5. Expeditious and Fair Discipline and Firing**

*Finding.* BGR found no reason to doubt the fundamental fairness of either the discipline imposed by city agencies or the Civil

Service Commission's reviews. However, appeals of disciplinary actions routinely are unconscionably slow.

### **Recommendations**

- ▶ BGR recommends that discipline processes be expedited. The Commission should adhere to its own deadlines and require that hearing officers expedite their portion of the process, too. It should consider hiring more hearing officers or holding hearings more often. The Civil Service Commission should consider granting hearing officers the power to decide appeals, as in the state civil service system. Implementing the latter recommendation would require a constitutional amendment.
- ▶ The Commission and the City's administration should explore all forms of alternative, third-party facilitation and arbitration with the potential to quickly clear disputes.
- ▶ Departments should produce clear written disciplinary policies approved by the City Attorney. Departments should write discipline letters in consultation with experienced city attorneys to minimize unnecessary appeals.

### **6. Layoffs and Bumping**

*Finding.* The bumping system sacrifices the maintenance of an effective work force to job protection. It has the potential to wreak havoc in the case of widespread layoffs.

### **Recommendation**

- ▶ BGR recommends limiting bumping privileges to clearly related job classifications within an employee's current department.

## 7. Management Information and Work Force Planning

**Finding.** Neither the City's administration nor the Civil Service Department regularly produces personnel management information. Despite a general perception by management that important institutional knowledge may soon be lost as experienced employees retire, systematic internal analyses of impending needs do not exist.

### **Recommendations**

- ▶ The Civil Service Department should routinely produce personnel management reports needed to understand the condition of the City's work force and the City's personnel needs, and to evaluate and improve its own performance. Reports should include information and trend analysis on city departments' personnel activity,

including hiring, turnover, discipline, performance evaluations, etc. The City's administration should provide the Civil Service Department with the necessary technological support to accomplish this.

- ▶ The City's administration and the Civil Service Department should develop staffing strategies for the future. The Civil Service Department should work with the CAO and department managers to put those strategies into practice.

## Endnotes

1. Osborne, David, and Plastrik, Peter, "Civil Action," *The Washington Post Magazine*, June 8, 1997, p. W8.
2. National Commission on the State and Local Public Service, *Hard Truths/Tough Choices: An Agenda for State and Local Reform*, Albany, N.Y., The Nelson A. Rockefeller Institute of Government, 1993, pp. 24-25.
3. Barrett, Katherine, and Greene, Richard, "Grading the Cities 2000: A Management Report Card," *Governing*, February 2000.
4. *Constitution of the State of Louisiana of 1974*, Article X, Section 10.
5. *Ibid.*, Section 7.



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