

## Removals in Civil Service

(Continued from Page 17)

cases where there is indication that the removal procedure required by law has been disregarded. In Massachusetts the law provides that an employee who has been removed and the removal sustained by the civil service commission may petition the district court for a review. In New York, veterans are entitled to a court review on the facts as well as on the law. The Pennsylvania and Tennessee civil service laws provide that the final decision shall not be reviewable by any court.

### The Open Back Door

At the beginning of its agitation for nation-wide observance of the merit system in government hiring and firing, the National Civil Service League advocated the "wide open back door" — a theory stated by the League's first President, George William Curtis: "If we keep the front door carefully guarded, the back door will take care of itself." In other words, if the merit system is intelligently and strictly applied to entrance into the civil service, an administrative officer will have no reason to make removals on political grounds since he cannot fill the resulting vacancy except through merit system channels. The abuse of the

privilege which heads of departments in the Federal government originally had, to make removals with an entirely free hand, became so great, however, that the League modified its position to the extent of advocating that a department head should state reasons for a removal and give an employee an opportunity to reply. This rule was adopted by President McKinley and embodied in the Lloyd-Lafollette Act of 1912.

By 1939, when, in cooperation with the National Municipal League, it drafted its Model State Civil Service Law, the League had come to the conclusion that it was in accordance with democratic principles to permit an appeal to some outside body in a matter as serious as removal from the public service. It therefore included in the Model Law the provision — adopted by several states — that the central personnel agency on appeal of the employee, be permitted to investigate the circumstances and reasons for the removal and submit its findings to the administrative authority for his final decision. For reasons of departmental morale and discipline, it advocated that the personnel agency be authorized to certify the name of the dismissed employee to another department if it believed the removal un-

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