

# OSEA Recommends Major Changes in Civil Service

(Editor's Note: A Legislative Fiscal subcommittee on August 18 began hearings in its study of Oregon's civil service system. A statement by OSEA was presented to the subcommittee. The highlights of that statement are printed here for the information of the membership. In the months ahead the NEWS will give complete coverage of the subcommittee's hearings.)

"OSEA has always insisted that civil service has responsibilities to both management and employees, a significant part of which is the protection of employee rights and the need for an aggressive attitude about securing for employees under its jurisdiction all of the benefits extended to employees in private industry and other governmental employment.

Although we recognize and feel it important that the primary assignment of this subcommittee is study of the system of classification and salaries of state employees, we recommend that serious consideration be given to the matter of the role of civil service today.

A clarification of this role might help the apparent lack of direction, leadership and sense of mission which we feel characterizes at present much of the operation of civil service in Oregon state service.

There continues to exist a



**OSEA TESTIMONY** Staff member Everett B. Stiles testified in behalf of the association at the first meeting of a subcommittee of the Legislative Fiscal Committee. It will study Oregon's civil service system and report to the 1969 Legislature. Subcommittee members are Reps. Morris Crothers (R-Salem), chairman, and Jason Boe (D-Reedsport); Sens. Al Fiegel (D-Roseburg) and C. R. Hoyt (R-Corvallis).

glaring deficiency regarding salaries: This is the "time lag" that exists regarding establishing salaries in state employment comparable to those in private industry and other governmental employment.

Most state salaries are determined on the basis of a salary survey conducted by the civil service department. The survey is made on July 1 of the year preceding the regular legislative session.

By the time Ways and Means looks at the plan it is already six months or more behind time. Even though the Legislature may fully fund the plan, as it did in the last session, by the time it is implemented on July 1, it is already a year behind because the data on which it was based is now a year old.

Because the plan is to serve for a biennium, it will be two and a half years out of date when the next Legislature convenes.

One large area of state employment, Higher Education, which has its own pay plan.

has had some success in achieving comparability by 'projecting' the increases which can be expected in the groups which they compare, and setting salaries on the projected comparison.

Although there appears to be nothing in our present law to prohibit this being done by civil service, apparently it is felt that a legal impediment does exist.

We would urge the subcommittee to study this matter, and if it feels civil service is now prohibited from making use of the projection system, to give it the necessary legal authority.

Under our system, the civil service commission publishes rules which might be considered requirements, or perhaps merely recommendations.

Agencies for the most part conform to most of the rules. But there are many cases where they are not followed. We would be pleased to give examples in response to questions after this testimony, or at subsequent hearings.

Our point is that it has been our observation that the civil service department does not make an aggressive effort to

see that its rules are followed, and when infractions are called to their attention, there appears to be a reluctance to require conformity.

In all fairness to civil service, we were advised in a recent case involving an improper personnel practice by an agency official, that it was felt that a great deal of uncertainty exists regarding the authority of the commission to police its rules or personnel practices by the agencies.

We feel that it is unfortunate and somewhat surprising that such uncertainty should exist 22-years after the passage of our civil service law.

We feel that the authority to make rules carries with it the authority to provide by some means for their enforcement. If specific authority is needed, we suggest that the subcommittee make an appropriate recommendation to the next session of the legislature.

In addition to a question of role and uncertainty regarding responsibility and authority, the weak performance of civil service might also be accounted for to some extent by its system of administration. We suggest that, outside of the matter of

pay, this be given the most serious consideration by the committee.

Administration of civil service in Oregon state service is by a part-time, three-member commission, and the workings of the department are supervised by a director.

Oregon has found it advisable to change to single administrators in other state agencies. It should consider the same change with regard to civil service.

One of the problems involved with the part-time commission administering a system through a director with limited authority is the difficulty of determining who is responsible for action.

A commission which meets once a month, much of its time in executive session, and carries on its business by telephone or mail with its executive results in hazy administration. A decision reached in such surroundings does not inspire the confidence of those who deal with this administration, that all points of view and all facts have been considered.

Oregon has been fortunate in the type of people it has been able to obtain as civil service commissioners. However, they have usually been very busy men, often without enough time to give to administering such an important department to enable them to understand fully the problems encountered by the department and those who deal with it.

Oregon's civil service statute, unlike most of its laws regarding commissions which have duties concerning management, employees and the public, does not require representative points of view on the commission.

By practice there has been an understanding that both political parties will be represented, but there is no requirement regarding other aspects of philosophy and experience. With no disrespect for the present commissioners intended, it might be pointed out that all three have essentially the same background: that of high management executives in the lumber industry.

Regardless of whether or not the part-time administrative commission is retained, we feel it important to insure that the commission be representative of varying points of view, especially that of the employee.



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