

History of the California Civil Service

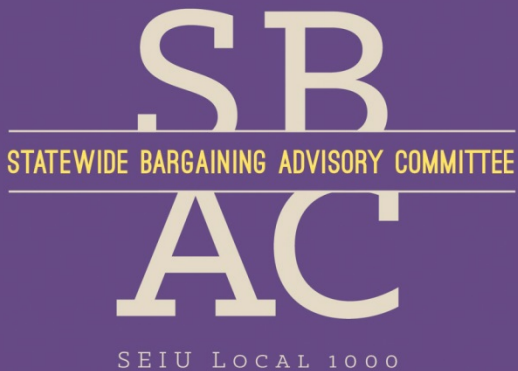




How the California Civil Service System was created and then was unionized

Objective and overview

- Objective: to learn about the history of the civil service merit system in California and how and why it became unionized in California
- Overview: The history of civil service employment in government dates back hundreds of years. Choosing to hire government workers based on merit and ability (rather than their association with the winning party in government) is a change that swept the nation after high profile events at an international and national level.



Terms

- Civil Service: employees in a government system in non-military service
- Merit system: a personnel system based upon hiring and retention of qualified employees as determined by competitive exam and continued proven performance
- Political Patronage: a system of government employment in which the positions are filled by the winning party in the election (“to the victor go the spoils” aka the “spoils system”)

Origins of Merit system

Was the US Civil Service system of Merit derived from...

- A. Roman Empire?
- B. Imperial China?
- C. English system of lords and manors?
- D. The U.S. founding fathers – after the assassination of a U.S. President by a disgruntled speech-writer?

Roman Empire (500 B.C – 0 A.D)

- The early Roman Empire had government officials – such as the following:
 - Court officials
 - Governors and mayors
 - Military commanders
- However, these men were entitled to office by birthright, not merit.

Imperial China (500 B.C-1500 A.D.)

- The earliest form of merit examination and application for civil service is found in imperial China. Scholar/bureaucrats could be hired without respect to being born into the office.

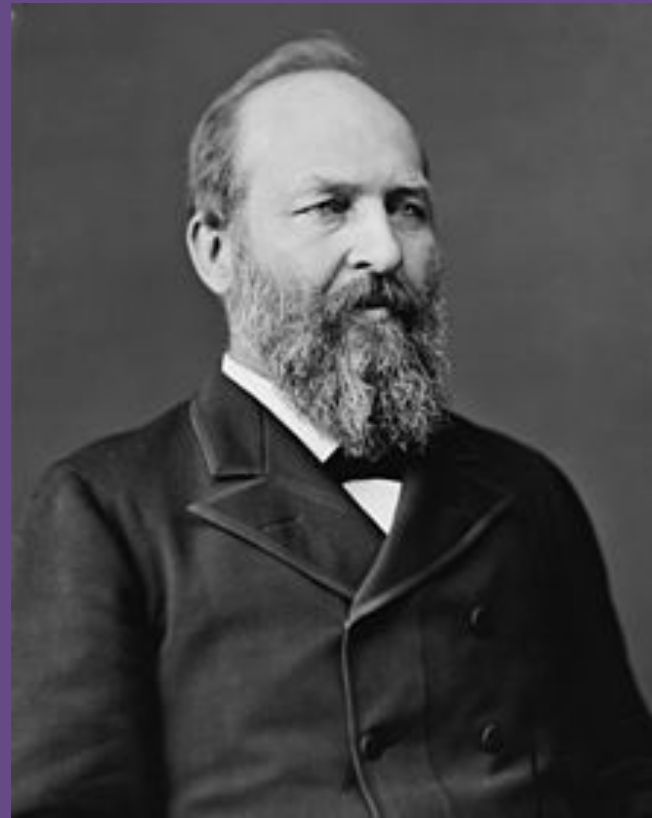


British Empire Reform – 1850s

- In the 1850s, the British Government reformed their system of government employment by right of landed entitlement to a merit system based upon the following:
 - that recruitment be on the basis of merit determined through competitive examination,
 - that candidates have a solid general education to enable inter-departmental transfers,
 - that recruits should be graded into a ranking system
 - that promotion should be through achievement, rather than 'preferment, patronage or purchase',
 - that work be divided between staff responsible for routine ("mechanical") work, and those engaged in policy formulation and implementation in an "administrative" class.

Pres. Garfield – proposes U.S. reform

- Pres. James Garfield took office as the 20th President in 1881.
- He was overwhelmed by would-be public officers seeking to fill 100,000 federal positions.
- He proposed civil service reform – similar to English reform.



Assassination by a wannabe government employee

- Spending only 200 days in office, Garfield was assassinated by James Guiteau, who wrote a speech for Garfield but was disgruntled when he didn't get appointed to a high office.

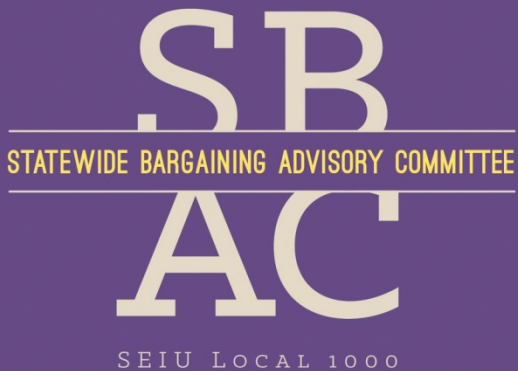


Guiteau's media spectacle aids reform

- Guiteau was charged with murder. His trial was a media spectacle. His bizarre behavior helped solidify public support for civil service reform. His trial and death by hanging occurred within a year of the murder.

Pres. Arthur takes up reform

- On the heels of the Garfield assassination, Pres. Arthur reversed his prior support of a political patronage system. He supported and signed the Pendleton Civil Service Act.
- His support for reform led to his political demise, though.
- Civil Service reform was so vilified by the Republican Party, that they refused to nominate Pres. Arthur for a second term of office.
- They nominated James Blaine instead, who then proceeded to lose the 1884 Presidential Election to Grover Cleveland.



Pendleton Civil Service Reform Act

- A federal law established in 1883:
 - That government jobs should be awarded on the basis of merit.
 - The selection of government employees by competitive exams, rather than ties to politicians or political affiliation.
 - Illegal to fire or demote government employees for political reasons and
 - Prohibited soliciting campaign donations on Federal government property.

US Civil Service reform

- To enforce the merit system and the judicial system, the law also created the United States Civil Service Commission.
 - The Commission's task was to appoint federal officer seekers, rather than having the President make those appointments.
 - The commission enforced merit examinations and merit rules for government employment.
- A crucial result was the shift of the parties to rely on funding from business, since they could no longer depend on patronage.

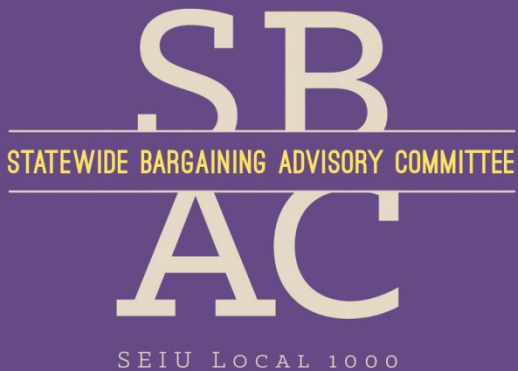
Gov. Hiram Johnson's Reform

- Ends the spoils system
- Appointments are made by competitive examination.
- Centralize work procedures
- Standardize job classifications



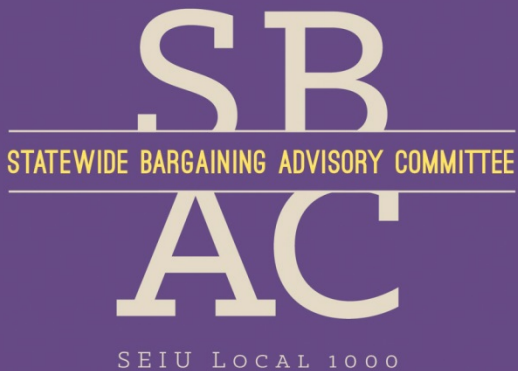
1913 California Civil Service Act

- On June 16, 1913, the California State Legislature approved the State Civil Service Bill (Chapter 590 of Statutes 1913), and it was signed by Republican Governor Hiram Johnson
 - This bill established the California State Civil Service Commission for the purpose of overseeing the administration of California's newly established civil service system.
 - This State Commission was structured to consist of three members, appointed by the Governor to serve four-year terms.
 - Any commissioner could be removed, however by concurrent resolution of the State Senate and Assembly, adopted by a two-thirds majority in each house.



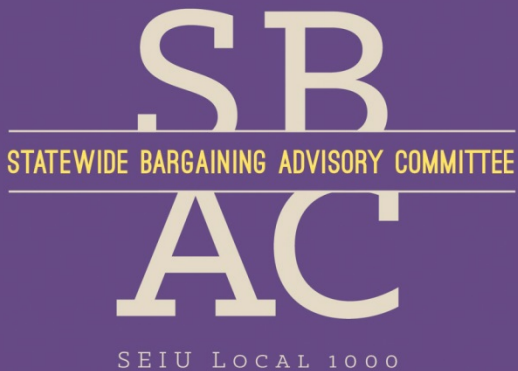
State workers take on reform

- Over the next 20 years, the initial reforms were eroded by politics at the State Capitol.
- A group of state workers formed the California State Employees Association. Although they first tackled protecting the state retirement system, soon after they took on the failing merit system of hiring.
- The Depression had taken hold across the country, leading to lines of thousands of citizens applying for state jobs.



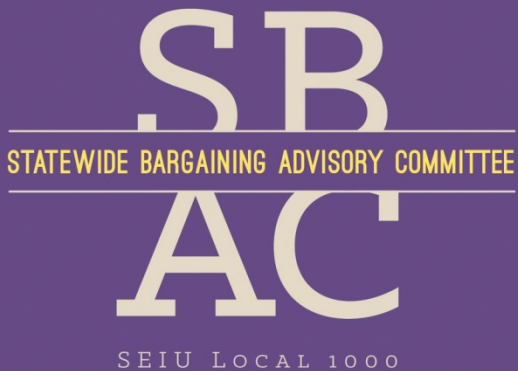
The state workers organize

- By the 1930s, the state workers had an organization of about 10,000 members.
- At the same time, there were 23,000 state workers, with about 12,000 in permanent positions, and the rest exempt and subject to immediate termination at any time.
- This core group of active state workers circulated the ballot measure to collect signatures across the state.
- The voters adopted the civil service protections in the State Constitution, largely as we know them today.



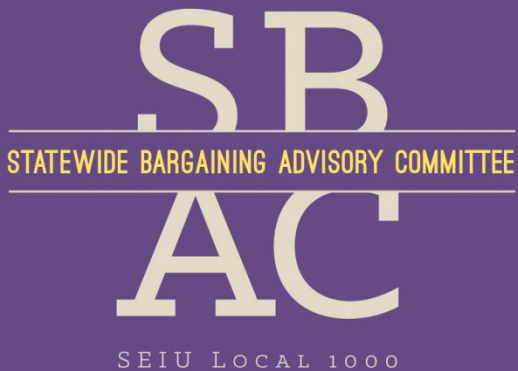
California Constitutional Amendment

- State Personnel Board was created with Regulatory power to administer a general civil service system with merit employment ascertained by competitive examination
- It also had power to administer:
 - Recruiting
 - Examination
 - Selection
 - Employment standards
 - Disciplinary process



New laws adopted in the new system

- 1937 – Like pay for like work – this set salaries based upon prevailing rate in private work and other governments
- 1937 – Merit salary adjustment – annual adjustments for satisfactory performance
- 1947 – 40-hour work week – prior to this law, state employees worked Monday – Saturday
- 1961 – George Brown Act – authorizing labor unions for state workers and a “meet and confer” right
- 1976 – SPB eliminated “salary requirement” from minimal qualifications
- 1977 – Collective Bargaining laws are signed by Gov. Jerry Brown for the University, Classified School and state employee systems.
 - HEERA
 - EERA
 - SEERA (Dills Act)

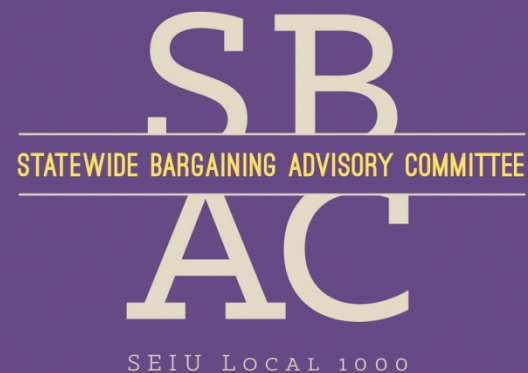


Pacific Legal Foundation v. Brown

- PLF is a right-wing foundation, which immediately sued to stop the collective bargaining law for state workers. Its lawsuit stopped implementation of the law until almost 1982.
- PLF claimed that collective bargaining for state workers violated the merit principle. It claimed that bargaining over wages, hours and working conditions infringed upon the ability of the State Personnel Board to determine merit for continued employment.

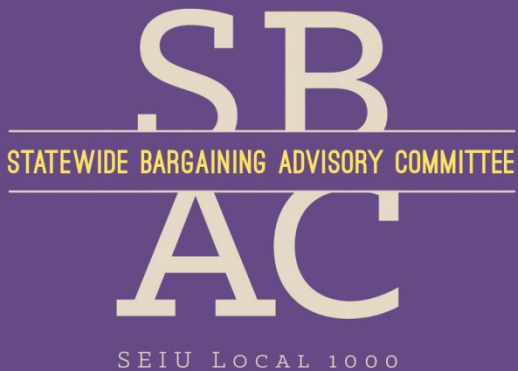
PLF v. Brown

- The lawsuit PLF v. Brown went up to the State Supreme Court, which ruled that merit and collective bargaining rights could co-exist without impairing the merit principle.
- The state was unable to bargain contracts until the lawsuit ended with a decision



State employee bargaining units

- 1981 – PERB conducted elections. CSEA won the elections in 10 of 19 units. Representation was provided in collective bargaining by the Civil Service Division – the predecessor to SEIU Local 1000
- 2003 – Local 1000 independently takes over representation of our nine bargaining units.



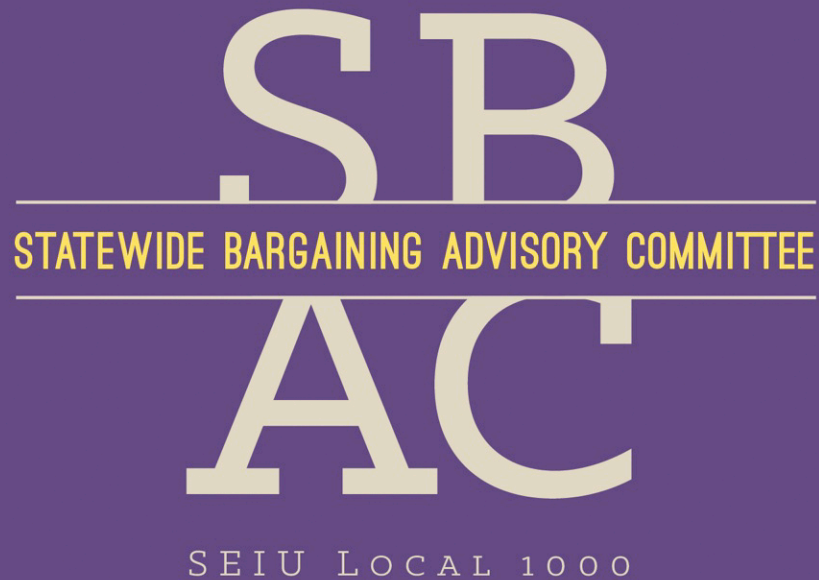
Terms and Definitions

- Civil Service: non-military government employment
- Merit: hiring qualified employees by competitive exam and performance
- Patronage: state jobs are filled by the winning party in the election
- Spoils System: state jobs are filled by the winning party in the election
- China: country with the earliest form of exam system for government jobs
- Garfield: U.S. President assassinated by would be government worker
- Pendleton: name of the U.S. law creating a federal civil service system
- Johnson: name of California Governor who first signed civil service reform

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