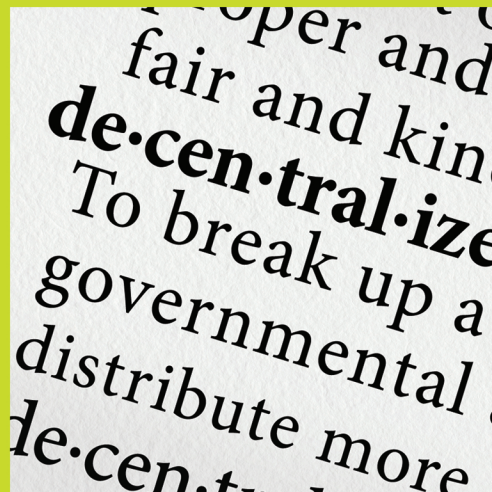


MOVING FORWARD

Charting the Future of Civil Service
in New Orleans



About the Project

This report is the culmination of a research project undertaken by graduate students at the George Bush School of Government & Public Service at Texas A&M University. The belief of George Bush, 41st President of the United States, in the nobility of public service has been the cornerstone of the school's philosophy since it was founded in 1995. Accordingly, during their second year of study, students at the school are required to engage in a year-long capstone project with clients in the policymaking world who are interested in positively impacting their community. The Business Council of New Orleans and the River Region commissioned the school to examine the city's civil service system because the council believes reforming the city workforce is a critical part of helping New Orleans reach its highest potential.

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Acknowledgements

The project team would like to thank the Civil Service Commission, the Civil Service Department and Personnel Director Lisa Hudson for their cooperation and assistance in responding to requests for interviews and information. We also appreciate the cooperation of officials and employees of the City of New Orleans as well as the support of the Business Council of New Orleans and the River Region. Further we are grateful for the input of various civic leaders who graciously gave their time to help the project. We would also like to thank the Bush School Staff for support on this project.



To find out more about the Bush School of Government & Public Service, please visit <http://bush.tamu.edu>

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Executive Summary

In 2004, the Bureau of Governmental Research (BGR) in New Orleans released a report calling for an overhaul of the city's civil service system.¹ BGR concluded that the city's human resource mechanisms were archaic, overly-centralized and inefficient. Unfortunately, Hurricane Katrina made certain that BGR's observations were quickly forgotten, as the city focused instead on rebuilding and returning to normalcy. However, in the storm's aftermath, increased attention was applied to city government. Polls indicate widespread dissatisfaction with city services among residents and an overall negative perception concerning municipal government.

To make matters worse, the nation's recent economic downturn has affected the city's resources and negatively impacted budgets that were already reduced from the storm. As a result, the city has faced severe budget deficits for the past two years (the financial outlook for the future is not much better). In response, the city has been forced to freeze hiring, institute compressed work weeks and slash funds for individual departments.

The Civil Service Department has not escaped the effects of this unfortunate reality. Indeed, the department is currently unable to fulfill many of its required services because of cuts to its staff and budget. While these constraints need to be considered, the civil service's ability to function is also impaired by deeply-rooted systemic problems. The majority of the problems identified in this report are related to the system's highly centralized nature. Specifically, since its inclusion in the Louisiana State Constitution in 1974, civil service in New Orleans has not evolved in any meaningful way.

After consulting more than 35 city and state officials in a variety of departments, examining city documents and analyzing civil service processes, this report concludes that the system's greatest deficiencies are hiring the best applicants, evaluating its current employees and then promoting the best candidates through the ranks. Additionally, the disciplinary process in New Orleans has attracted negative attention to the rules that govern the city's workforce. Several high-profile cases in which employees were disciplined and their original punishments reduced or annulled altogether added to this negative perception. As has already been suggested, many of these difficulties arise from the fact that the Civil Service Department is underfunded, understaffed and working within an outdated model for operations.

To address these problems, this report consulted more than 120 publications about civil service. Findings from this research about what other city and state systems are doing and what constitutes best practices have emerged. This report presents a number of short and long term options that will help streamline the city's civil service system and enable it to function more effectively. The former represent "quick fixes" that can be implemented internally and require little or no commitment of city resources. The latter are larger goals that will require more resources and greater dedication and planning.

In the short term, the city should:

1. Improve Technology in Civil Service

By increasing civil service's access to the city's internet resources and creating an online job application portal, New Orleans would streamline its job listing and application process.

2. Expand Recruitment Efforts

The city should begin to recruit employees through an online portal and at colleges and regional job fairs. The city should also create an internship program that would supplement the city's depleted workforce and identify future employees.

3. Make Performance Evaluations Count

Currently, the city's employee evaluations have little or no meaning. The city must change this, particularly by allowing individual departments to create, administer and assess their own evaluations.

4. Train Employees and Managers

Training employees in the civil service process can help them better understand how it works. This will reduce the number of appeals to disciplinary actions and reduce the number of appeals that are overturned by the commission or the higher courts on technical grounds.

In the long term, the city should:

1. Decentralize to the State Model

Adopt the state's civil service model and work toward transitioning the system in New Orleans from a highly centralized managerial body to one that functions as more of a consultant, advisor and evaluator.

2. Empower Department HR Managers

Managers know what kind of employees they need to hire. If the city allows managers to develop their own advertisements, job descriptions and criteria for employment, New Orleans can attract a better workforce. Under this model, civil service would train managers in HR practices and proper procedures and then allow them to perform the actual hiring. The commission would still act as an advisor in this process.

3. Increase Flexibility in Promotions

Departments should develop their own promotion standards and promote their own employees. Managers and supervisors can identify the best employees in their departments and evaluate how to rank those employees for promotion better than civil service.

4. Revise Job Classifications

Restructure the city's job classifications so that they accurately reflect the work being done by the employees. In the wake of Katrina, many people have increased job responsibilities, yet their job classifications do not reflect this. Mandating fewer – or broader – classifications will allow managers to more accurately describe their workforce, evaluate it and then promote employees through the ranks.

All of these recommendations must be implemented within the legal framework established by the city charter, the state constitution and the city's civil service guidelines. Fortunately, the city's Civil Service Commission was granted "broad and general rulemaking" powers by the state constitution and all of the recommendations listed here are within its legislative authority.²

The recent civil service reforms instituted by the state of Louisiana offer some guidance for New Orleans. After all, both the city and the state's civil service systems were created by the same constitutional article. In the state's case, the ASCEND 2020 reform program was designed and implemented largely by the state commission and its civil service staff.³ While the substance of reform efforts in New Orleans will no doubt be different, the means for implementing any changes will be remarkably similar.

Civil Service at a Glance

Introduction

Despite the best efforts of political progressives, the idea of reforming government service failed to produce results until Charles Julius Guiteau assassinated President James Garfield in 1881. Guiteau's motivation for the assassination of the 20th president of the United States was the result of his failure to secure federal employment under the spoils system that dominated the era. As a result of the president's death, the Pendleton Civil Service Reform Act of 1883 was enacted. The passage of this law helped end the early Republic's employment scheme and set the stage for additional civil service reform movements.

Before Pendleton, the political party in the White House utilized its authority to practice a form of patronage that awarded jobs to campaign supporters, regardless of their qualification for the position. The reform movement believed there should be equal employment opportunity for all citizens; only the meritorious should be employed and no public servant should suffer for their political beliefs.⁴ Accordingly, through Pendleton and successive legislation, a civil service system that addressed these issues was gradually created. The federal civil service system has since evolved to the point that it now ensures standardized hiring and management for an increasing majority of the federal government. Most of the civil service systems adopted by state and local governments stemmed from these reforms at the federal level.

Prior to initial reform efforts in Louisiana, the workforce for the city of New Orleans functioned within a localized spoils system in which both potential and existing employees were forced to appeal to political operatives within the city's wards for favors.⁵

As was the case at the federal level, service delivery under this system suffered, and changes in political administrations disrupted city government. Eventually, the Louisiana State Legislature was persuaded by discontent city residents in 1942 to establish the first civil service system for New Orleans.⁶

More than 30 years later, Louisiana's 1974 Constitution created new state and city civil service systems and detailed their roles and responsibilities. In New Orleans, the Civil Service Commission and its department of employees were designated as the central human resource body for municipal government. By law, the commission is comprised of five members who appoint the department's personnel director to oversee day-to-day operations in the office.⁷

Although the rise of civil service in the nation's public sector helped end patronage and the spoils system, its implementation spawned other problems. By creating a professional civil service system that functions without regard to public whims or political moods, the government could unwittingly set the stage for an environment prone to inefficiency, inflexibility and a lack of responsiveness to both the political leadership and citizenry. These beliefs led "many taxpayers and consumers of public services [to] view civil service as a ticket to a lifetime job regardless of performance."⁸ In response, efforts to restore accountability in civil service and increase its level of responsiveness have been continually sought by those outside of government.

Perhaps, the most recent push to change the way civil service operates can be traced back to Ronald Reagan's 1981 inaugural address, in which the 40th president

said “government is not the solution to our problem; government is the problem.”⁹ The belief that certain aspects of government can and should be refashioned continued into the 1990s when thinkers like David Osborne and Ted Gaebler published *Reinventing Government*, a highly influential book that posited that common human resource practices in private businesses should be applied to the public sector.

At the state level, efforts to follow national trends and reform Louisiana’s Civil Service began when officials in Baton Rouge acknowledged that the state’s system was archaic and overly protective. In 1999, the state adopted a multi-phase, long-term reform effort called ASCEND 2020. The essential idea behind the program was massive decentralization of the old system’s functions. As ASCEND documents note, “state government is too big and diverse to have one size fits all policies.”¹⁰

Accordingly, ASCEND empowered the state’s department managers and gave them greater flexibility and discretion in hiring, promotions and disciplinary actions. Under this rubric, the state’s Civil Service Department abandoned its traditional management role and shifted to become an advisory body that

is more concerned with general policymaking, skill development and inter-agency communication. While these changes were occurring at the state and national level, the civil service system in the City of New Orleans remained virtually unchanged. As a result, few, if any, of the reforms popular in recent years were incorporated into the city’s functions.

Legal Framework

The Louisiana State Constitution delegates a great deal of authority to the city’s Civil Service Commission. The constitution states the commission has “broad and general rulemaking and subpoena powers for the administration and regulation of the classified service.”¹¹ That is, the commission has the authority to regulate nearly every aspect of hiring, promotion, discipline and dismissal. It also develops the city’s pay-scale and oversees the qualifications and certifications for the city workforce. As the primary legislative body responsible for policy formation, the rules made by the commission have the effect of law and take precedence over any other state and city legislation. The only notable exceptions to the commission’s authority concern employee wages and hourly work schedules.¹² These must be approved by the city council. Given these limitations and the council’s control of the

EXHIBIT 1

WHO CONTROLS THE NEW ORLEANS CIVIL SERVICE?

There are four main sources of control over the New Orleans Civil Service system. Each of these entities has the ability to change and influence the entire civil service system. The entities are in order, from left to right, according to the magnitude of change they can implement.



department's budget, the commission cannot create costly legislative mandates on its own and expect the city to fund them.

Under the current rules, the city's system is highly centralized and authoritative. This means that "most steps taken in personnel matters are not official" until they are approved by the Civil Service Department.¹³ However, the state constitution does not require the city's civil service system to function this way. The only requirement by the constitution is that the city has a civil service system. Exactly what kind of system the city has and how it functions is entirely up to New Orleans. Consequently, the nature of civil service in the city can be altered with a majority of the Civil Service Commission votes to amend the department's rules, regulations and procedures.

How Civil Service Works

The commission's legal authority over day-to-day operations is largely exercised through the Civil Service Department's Personnel Director, an appointee whose duties and position are defined by the rules of the Civil Service Commission.

The staff's role begins with the release of advertisements for city employment. The Civil Service Department controls what jobs are advertised, when they are advertised and the language used to describe the necessary qualifications for the job in the advertisement. In addition to handling these clerical duties, the civil service staff determines whether a job is classified or unclassified. A request for new employment positions by managers must first pass a job study, in which civil service determines if there is a need for the position. If civil service determines the position is warranted, it then decides whether that need can be met by an existing employee, a new employee classification or a new unclassified employee. Once a pool of eligible applicants for a position has

been assembled, civil service creates an employment registry that ranks the applicants in bands based on test scores and the applicant's professional background. The Civil Service Department also controls how long this registry remains in effect. Employers must select a new employee from the registry and follow the limitations established by the department whenever hiring. Specifically, the "rule of three" policy stipulates that an employer must pick one of the top three candidates in the particular band associated with that position's applicants.

To determine who is eligible for promotion, civil service creates another registry. This document ranks employees based on set criteria such as test results and on-the-job experience. As is the case with hiring, managers can only promote employees based on their ranking within the registry. There are prescribed limits for bypassing higher ranked employees in the registry.

Appointing a Commissioner?

- The city's five-person Civil Service Commission is appointed by the presidents of Dillard, Loyola, Tulane and Xavier Universities.
- Each president generates a list of three people. From that list, the city council selects one member for the commission and then votes for approval.
- The remaining commissioner is selected by the council from the top three candidates in an employee election. This commissioner serves as the employee representative.
- All commissioners serve six-year terms that overlap.

CIVIL SERVICE AT A GLANCE

Employee “service ratings” are required for employees. Each year, civil service issues employee evaluation forms for supervisors to rate employee performance. In order to be applicable to the entire workforce, these forms are paper based and highly standardized.

By far, the Civil Service Commission spends the majority of its time adjudicating disciplinary matters. Initially, discipline is meted out by city department heads. However, the rules state that the commission has the ultimate authority to discipline, demote, and remove employees. The commission, therefore, serves as a judiciary body that hears all employee appeals that arise from discipline actions within city departments.

If a disciplinary action within a department is not appealed by an employee, the action is considered final. However, if the action is appealed, the commission is the first court of instance and its subsequent decision – arrived at in a public hearing where both the city and the employee are represented – is a legally binding

opinion. As a judiciary body, the commission has the authority to subpoena witnesses and compel the production of evidence. The commission also has the authority to modify, override or undo any disciplinary action when it renders a decision. Both the city and the employee have the option of appealing any commission decision to the state’s 4th Circuit Court of Appeals, and from there, to the Louisiana Supreme Court.

Ripe for Change?

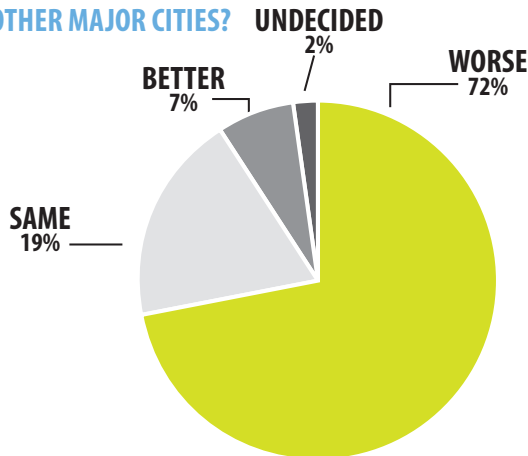
Prior to Katrina, the Bureau of Governmental Research conducted a massive inquiry into the city’s civil service system and determined that it was “too complex and cumbersome, and often too slow, to meet the challenges of hiring and retaining an effective government work force.” The BGR report identified a number of problems that persist to this day. Indeed, many of the problems discussed by BGR have grown in a post-Katrina environment in which the city is still struggling to find its feet again.

EXHIBIT 2

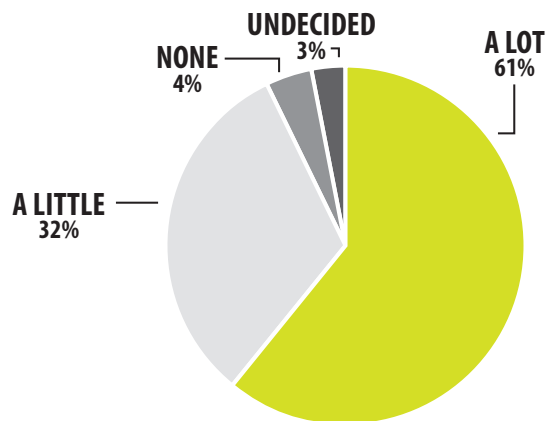
NEW ORLEANS CITIZEN ATTITUDES TOWARD CITY GOVERNMENT

More than 70 percent of New Orleans citizens feel that the city’s government is worse than city governments in other major municipalities. Perhaps one of the major reasons is that a majority of residents surveyed believe there is a great deal of corruption in city hall. These overwhelmingly negative perceptions of citizens highlight the major need to improve the New Orleans municipal government.

HOW DOES NEW ORLEANS CITY GOVERNMENT COMPARE TO OTHER MAJOR CITIES?



HOW MUCH CORRUPTION IS THERE IN THE NEW ORLEANS CITY GOVERNMENT?



SOURCE: NEW ORLEANS VOTER SURVEY, MARKET RESEARCH INSIGHT 2009

CIVIL SERVICE AT A GLANCE

Among the residents, the city's problems became impossible to ignore after Katrina. A recent poll, for example, determined that the vast majority of residents in New Orleans believe their city government is worse than others across the country. In this same poll, residents stated they believe corruption is rife at City Hall. (See Exhibit 2 for additional information)

So far as civil service is concerned, citizens are subjected to an almost weekly barrage of media stories about public servants acting inappropriately. From news stories about federal indictments of city officials to police brutality cases, residents have been given few reasons in recent years to think positively about their government.¹⁴ In addition to stories that expose wrongdoing, the media also reports information detailing how disciplined civil servants often escape punishment, thanks to the city's appeals process.

For example, when the New Orleans Police

Department recently fired two employees after high profile incidents that involved violence, both were subsequently reinstated by separate judgments from the civil service commission and the state appeals court.¹⁵ Undoubtedly, such events help contribute to an environment where only 33 percent of residents are satisfied with the city's police department.¹⁶ Rightly or wrongly, the public perception is that the city suffers from widespread corruption and a civil service system that is not functioning.

Understandably, some of this perceived dysfunction is a result of hardships caused by Katrina. The downsizing of the city's workforce left manpower at dangerously low levels. The city's ability to provide services has been further complicated by the nation's recent economic downturn. Either of these situations would be enough to seriously injure any city's government. Having both hardships occur in New Orleans, almost simultaneously, has left the city a shell of its former self. (See Exhibit 3)

EXHIBIT 3 NEW ORLEANS AT A GLANCE

FROM KATRINA TO PRESENT...

 **24%** Reduction in City Employees



2010 Budget Deficit of

\$68,000,000.00

City Population  **16%** Reduced by

Since Hurricane Katrina the city has seen a major reduction in population as well as a considerable decrease in city employees. The city is also faced with a \$68 million budget deficit that has significantly impacted most city departments.

Facing a budget deficit, former Mayor Ray Nagin proposed an immediate hiring freeze in 2009 for all city departments. With a projected \$68 million shortfall in the 2010 budget, Nagin not only extended the hiring freeze, he also proposed the imposition of 12 unpaid furlough days for all city employees.¹⁷

On February 6, 2010, voters elected a new mayor, Mitch Landrieu. The next day, the New Orleans Saints won their first Super Bowl. Highlighting a growing sense of optimism created by the events, Landrieu said, "The people of the city of New Orleans did a very extraordinary thing today. We decided that we were going to stick the pole in the ground and strike a blow for unity, strike a blow for a city that decided to be unified rather than divided."¹⁸

SOURCE: 2010 CITY OF NEW ORLEANS

Problems in the Civil Service System

Introduction

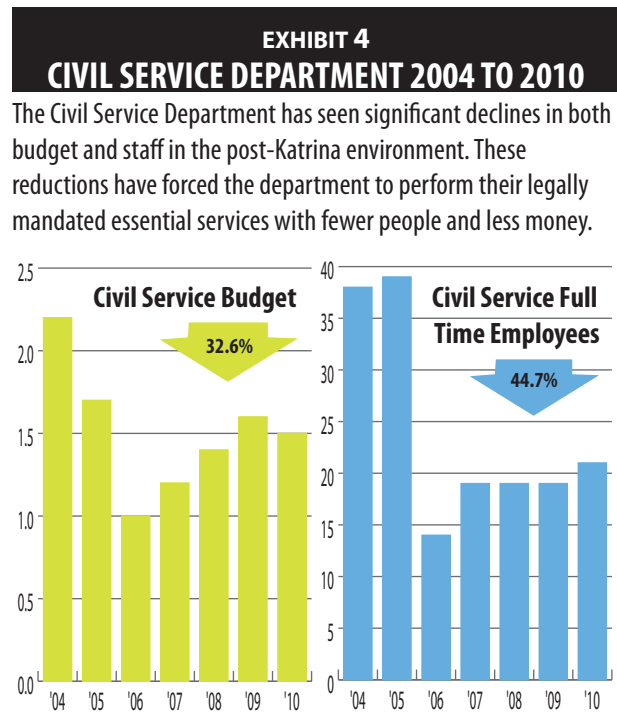
To better understand the Civil Service System in New Orleans, the project team obtained hundreds of pages of documents and consulted more than 35 current and former officials from city and state agencies. These efforts yielded hours of tape and dozens of pages of notes about the day-to-day reality of working for or managing city government in New Orleans. When identifying problems with the current situation in the city, this report restricted itself to discussing issues that could be confirmed by multiple sources. In other words, the personal grievances of one person were not enough to warrant inclusion in this section of the brief. Rather, issues raised in interviews had to be confirmed by multiple interviews before they were taken seriously.

From consulting with officials for this report, two key realities were apparent. The first is that the city’s civil service system should remain in place. No city official interviewed for this report expressed an interest in removing the system and replacing it with an at-will employment scheme. Due to the city’s political history, civil service is seen as the essential force protecting employees and managers from outside manipulation. The second position that attracted nearly universal support is that the civil service system is not performing up to its potential. Put simply, a combination of a lack of resources and a bureaucracy that has not embraced recent advances in governance has rendered the system incapable of effectively fulfilling many of its responsibilities.

Struggling to Survive

Following Katrina, there was a dramatic reduction in the Civil Service Department’s staff and its annual budget. As a result, the department says it has been

forced to take a “piecemeal” approach to its duties, and it now spends more time “putting out fires” than working proactively. With staffers now forced to work harder than ever, civil service has unconsciously settled for striving to achieve a status quo that is based on an outdated, pre-Katrina standard. Exhibit 4 shows just how much of a reduction the Civil Service Department has endured.



SOURCE: 2010 NEW ORLEANS CIVIL SERVICE DEPT

This failure to adapt has created a tremendous gap between how city departments function and how the civil service requires that they function. In addition to being outdated, many of the standards civil service still believes in are unrealistic in an environment where city departments are struggling to survive.

Compounding the issue, little attention is being focused on human resources in New Orleans because city officials are forced with restoring essential services, such as police and fire. The result is that the city's capacity to address human resource issues is suffering from what one staffer called "demolition by neglect."

However, not all of civil service's failures can be blamed on Katrina, and the attitude that the department is "hampered in its performance, not by its own rules or internal failings, but by forces beyond its control" is not entirely accurate.¹⁹ The city's system also suffers from systemic problems, many of which existed prior to the storm. Specifically, the civil service system is incredibly rigid and has not incorporated recent changes in human resource practices. Several city officials believe that the system is functioning today exactly the same as when they first joined the city workforce 20 or 30 years ago. As a result, officials today do not believe they have the tools or the authority they need to effectively run their departments.

Hiring the Right People

The systemic difficulties in the city begin with the way potential employees are recruited, screened and hired by the Civil Service Department. To begin the hiring process, a job registry must be opened to collect applications. Managers claim it is difficult to get civil service to open new job registries and that the time between openings may be lengthy. These delays are another result of civil service suffering from a lack of employees. The department simply does not have enough staff to update all of the city's registries in a timely fashion. As one city official put it, civil service can only work with what it has available, and not having much available, people cannot expect miracles from it.

Currently, the city advertises positions on the internet, in public notices and through job recruitment services.

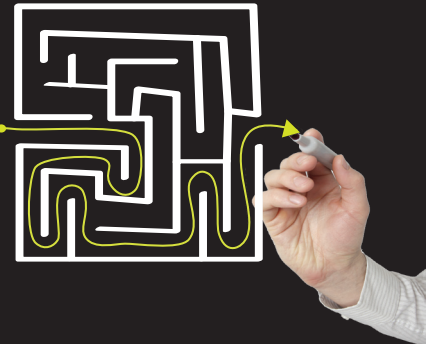
However, the online job postings are often scattered on different web pages and finding positions can be "amazingly frustrating," according to officials. In fact, the most common way people learn about job openings is by going to City Hall and perusing the employee bulletin board located there. By default, these circumstances create an inefficient hiring environment, where applicants struggle to learn about potential opportunities.

While it is true that some prospective employees can find job opportunities online, there is currently no way to apply electronically, either via an online application or through an e-mail. All job applications must be filled out by hand and presented to the civil service office in person or by mail.

Additionally, creating a new position in the city is "a battle," one official said. Managers must first approach the Civil Service Department about conducting a job study. Typically, when this happens, the manager presents civil service documentation about why the position is needed, a description of the duties for that position and a proposed salary range based on the necessary qualifications. Civil service then performs the job study to determine if the position is warranted and whether it qualifies for classified or unclassified service. This process, managers contend, is "painstakingly slow" and could take from several months up to a year. For many of them that is too long; their department's need for the new employee is immediate. "I wish they would believe me," one manager said, referring to both the necessity and the length of the process. "The fact I am telling them I need that position ought to be the justification for getting that job."

Even worse, there is no guarantee civil service will approve the new position once the job study process has been completed. It could find the position is unjustified or need more information to render a final

GETTING A CITY JOB THE MAZE OF HIRING



1 FINDING OPEN POSITIONS

- Positions posted on bulletin board, city website, public notices
- Website is difficult to navigate, no central job portal, no easy instructions
- No outside marketing of open positions

2 APPLICATION PROCESS

- Paper only application, must print or pick up
- Not able to apply online or submit electronically
- Unclear instructions

3 TESTING / RESUME REVIEW

- Applicant tested three ways: written test, oral test, and/or resume review
- Civil Service determines who is most qualified based on testing
- Civil Service ranks candidates by test results, groups into bands
- Validity of test(s) is frequently questioned

4 SELECTION / DECISION

- Departmental hiring managers then must hire from the list of "most qualified" candidates
- Civil Service then certifies the hiring decision

decision. In particular, managers claim civil service has difficulty dealing with requests for highly skilled jobs, because those jobs do not “fit” in the city workforce’s established guidelines. Managers also say it is difficult to recruit from the private sector, largely because they are not able to offer competitive pay. Potential employees from the private sector will usually join the city as entry-level workers, regardless of their previous job experience. The city has recently attempted to redress this, but those efforts have not gone far enough, critics say.

Once a person has applied for a job, the Civil Service Department screens the applicants by reviewing their resume, qualifications and, if necessary, administering examinations. When this process has been completed, the department generates a registry that ranks individual applicants in bands. Several managers complained that they are rarely consulted about the criteria used in this process, and consequently, they do not understand how civil service arrives at its rankings. “I really don’t know how [applicants are] ranked,” one manager related. “I’ve looked at the interviews of two people and couldn’t understand how one was ranked higher than the other, considering the work experience and what they put down on their resumes.” Due to this lack of communication, there is a gap between what the screening looks for and what the actual job requirements are. This can result in unqualified applicants being listed on the registry used for hiring.

A Changed Workforce

In the wake of Katrina, the city is functioning with fewer employees. This reality has played havoc with the job descriptions of what individual employees are actually doing on a day-to-day basis. In the decimated workforce, many employees must do the work of two or even three people in order to make up for the layoffs and the unfilled vacancies. It is now common for employees to complete tasks that are beyond

their classification’s assigned duties. This not only includes individuals performing tasks with far greater responsibility than their original job description, but also mundane and administrative tasks that are beneath their classification.

The loss of employees, the subsequent lack of promotions in the city, and the necessity of having one person fulfilling several roles have combined to create numerous situations where an employee is unofficially promoted to a higher position.

Pay and Promotion

Unofficial promotions and inaccurate job descriptions create problems when it comes time to increase pay or promote an employee. Specifically, when an employee applies for a promotion, only their years of service at their current job level are considered – not the body of work they are actually producing on the job. Employees vying for official promotions to positions they have unofficially been occupying are not guaranteed the job, despite having successfully completed it for several months or years. The breakdown between who is promoted and who managers believe should be promoted revolves around an inability to offer timely promotion tests for departments and the civil service’s reliance on outdated and problematic testing criteria.

The tests for fire and policemen offer a telling example of how the city’s lack of resources is negatively impacting those departments. The current time between exams for the sergeant, lieutenant and captain’s exams is three to five years. Efforts were made prior to Katrina to normalize the gap between exams, but it has been difficult to continue that initiative in the post-Katrina environment.

The creation, implementation and scoring of all of the exams is currently handled by one civil service employee and a few assistants – all of whom have

limited finances at their disposal. This lack of manpower means that only one exam at a time can be developed. Additionally, civil service currently lacks the funds to score the exams once they are administered.

The city has not altered its promotion criteria for employees outside the public safety sphere. For many employees in these departments, promotion requires experience with supervision. However, the city's depleted workforce means that supervisory positions are difficult to come by. There simply are not enough employees for rising applicants to supervise. "Nothing [about the criteria] has changed," one manager said, "and that's insane."

Managers also complain that the testing criteria for promotion do not evaluate the necessary skills for the new position being sought by the employee. One official spoke of civil service requiring his employee to pass a words-per-minute typing examination on a typewriter. The problem was that this employee was applying for a position that required very little actual typing – and none of it on a typewriter. Other managers told similar stories.

Finally, a few managers noted that they lose many of their highly skilled employees because it takes too long to promote them through the civil service system. Employee retention could become a major issue when job markets become stronger and employees with unique skills can find careers in the private sector that offer a chance for more rapid advancement.

To put this in perspective, several managers spoke about new hires having to wait five years before they advanced up the pay scale. Rather than do this, many just left. This inability to retain talent also manifests whenever a manager is prevented from promoting a promising employee past other employees who might have served for longer periods of time. Oftentimes a

manager identifies a specific position that is especially suited for a certain employee, but the manager cannot immediately place them in that position, because other employees are senior and the civil service has rigid prerequisites that restrict quick advancement.

Employee Discipline

Without question, the Civil Service Commission spends the majority of its time dealing with appeals generated from disciplinary actions. The common perception is that it is difficult to discipline employees, but there is no consensus on the truth of this perception.

The majority of city officials say that employees can be punished, provided the manager is aware of the proper procedures, follows the procedures and properly documents everything. "We don't lose many cases," one manager explained, because "we go through the paper trail." Even so, managers acknowledged there are some employees that cannot be fired because of the intense effort it would take. "We're just too busy," one manager declared. It is unclear if the lengthy procedures are due to the Civil Service Department's strictness or the natural result of the nation's recent explosion in labor relations law and litigation.

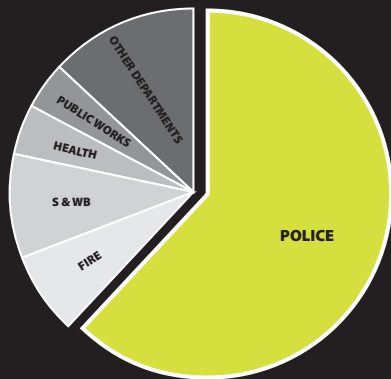
Regardless, commissioners agreed that following the procedures is crucial. Usually, when a department has its disciplinary actions overturned, it is because the managers in that department were either unaware of proper procedure or failed to follow it. According to the commission, the key to discipline is the department following its own guidelines. As one commissioner put it, if the city proves that it did follow guidelines, then, "They win – period."

However, some managers disagree. They believe the commission often keeps bad employees on the job. In such cases, one manager said, the commission places

THE APPEALS PROCESS BY THE NUMBERS

2006 TO 2009

NUMBER OF APPEALS BY DEPARTMENT



TOTAL OF **530** APPEALS FILED

62% ORIGINATED IN POLICE DEPT.

9% ORIGINATED IN S & WB

7% ORIGINATED IN FIRE DEPT.

13% OF APPEALS GRANTED

34% OF APPEALS DENIED

53% OF APPEALS SETTLED IN OTHER WAYS

FIRE DEPT. EMPLOYEES ENJOY THE HIGHEST
APPEAL SUCCESS RATE WITH **42%** OF
APPEALS BEING GRANTED

1 OUT OF EVERY **8** CASES
APPEALED TO 4TH CIRCUIT



SOURCE: 2009 NEW ORLEANS CIVIL SERVICE

PROBLEMS IN THE CIVIL SERVICE SYSTEM

individual needs over the department as a whole (in the commission's defense, part of its duty is to protect the individual). As a result, the manager continued, employees are often reinstated regardless of the merits of their case. Such reinstatement can lead to morale problems when the disciplined individuals return to their jobs (other employees come to believe there are no repercussions for poor performance). The problem worsens in highly publicized cases, because the reinstatement damages public perceptions about the city and the department.

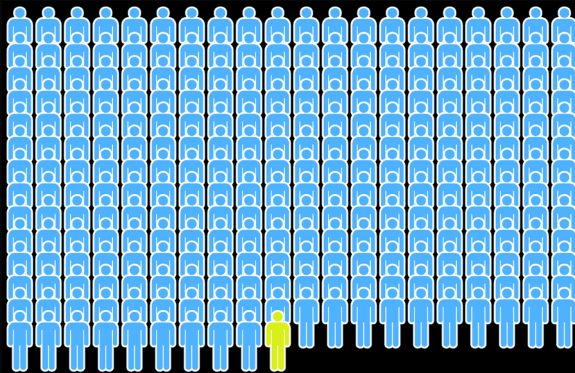
Evaluating Employee Performance

Each year, civil service issues evaluation forms for supervisors to rate their employees. However, these forms are "not really used for much," according to city officials. The forms originated with a decision several years ago to use the ratings as a way to prioritize which employees should be laid off, if layoffs became necessary. In practice, managers are reluctant to use

the forms, because they fear losing more employees. With more work to do, post-Katrina, keeping the bad employees around is better than losing more people in your department, one manager confessed.

There is also a negative incentive for recording poor remarks. That is, whenever an employee receives a low score, the manager is then required to fill out more paperwork that could lead to counseling or mediation. Essentially, "you're punished for filling them out," officials said. It is far easier to mark them all positive and be done with them, managers admitted. Thus, the city is not currently rating its employee performance in any meaningful way. Evaluations, according to one manager, are "simply a paper work exercise. ... [and] no real thought is put into completing the forms." This has resulted in a "halo effect," in which employees are rated favorably, regardless of their actual performance on the job.

ARE CITY EMPLOYEES REALLY THAT GREAT?



IN THE PAST 7 YEARS ONLY
1 OUT OF EVERY **250**

EMPLOYEES WAS RATED UNFAVORABLY

MEANING THAT **99.6%** OF EMPLOYEES
WERE GIVEN A **POSITIVE** RATING
SHOWING A POSSIBLE "HALO" BIAS

SOURCE: 2008 NEW ORLEANS CIVIL SERVICE

Trends and Best Practices

The literature and case studies examined on civil service reform offer guidance on trends and best practices developed and implemented in other state governments and municipalities. A study of these helped in identifying several best practices that are applicable to New Orleans and could improve the civil service system.

Decentralizing Human Resource Activities

The most common reform identified in the literature and case studies is the decentralization of human resource activities. In relation to civil service reform, decentralization is defined as the process of dispersing employment decision-making and administrative capabilities to department heads as well as increasing managerial flexibility.²⁰ The most prominent examples of decentralization efforts have occurred in state governments.

The State of Louisiana serves as an exemplary model for decentralization. In 1999, the Department of State Civil Service adopted ASCEND 2020 and began decentralizing all hiring, promotion, training and performance evaluation functions to individual departments. By doing so, the state successfully managed to provide assistance to state agencies in their human resource work while simultaneously giving departments the authority to make personnel decisions.²¹ This transition allowed the state to leave a centralized system, “with all its attendant problems,” behind. The State Civil Service Commission is now able to focus on their legal and advisory responsibilities without being bogged down in tasks that are easily completed by individual agencies. Early scholarship suggests that after “some initial resistance from some

agencies,” the changes at the state level were met with positive results.²²

Likewise, South Carolina pursued reform through its consultative human resources model.²³ South Carolina’s model increased managerial flexibility by granting department heads the authority to recruit, select, promote, fire, and train their employees. It also gave managers the ability to determine their organizational design and development. While these and many other examples are of state-level reforms, the theory of decentralization can be applied to city governments.

If New Orleans were to implement a decentralization model, individual departments would become the primary decision-makers on most HR decisions. The Civil Service Department would then support individual departments and serve in an advisory role. Although such a reform would provide managers with increased flexibility and control, employees could suffer if too much authority was granted to managers. However, the successful implementation of decentralization in various states suggests that it can be successfully implemented in New Orleans, as long as key civil service protections remain.

Recruiting Employees

Decentralization and other reform efforts often focus on recruitment. One common approach is to give individual departments the authority to post job vacancies through an online job portal. Louisiana, for example, has already created such a portal called “LACareers.”²⁴ This portal enables departments to post, track and accept job applications online. Other ways to increase job recruitment are to visit college campuses and fax vacancies each week to organizations

that have been sources of employment in the past.²⁵ For example, Shreveport announces vacancies at the beginning of each week and then faxes or emails the announcements to more than 100 recruiting sources.

Internships are another useful recruitment tool. Internship programs provide an inexpensive labor force that receives on the job training that will be beneficial should the student work for that agency or department in the future. Businesses, for example, offer internship programs that create a communication channel in which employers learn about schools and schools learn about the needs and practices of employers.²⁶ The personal and professional relationships cultivated by an internship program could provide New Orleans with an inexpensive labor force and a conduit for talented future employees.

Reforming the Merit System

In traditional civil service systems, employees can only be removed from a position for cause. With at-will employment, termination is at the discretion of the manager. Because civil service reform is about restoring accountability and responsiveness, at-will employment reforms have become more popular over the past decade.

The philosophy behind at-will employment is that managers can identify and retain the most productive elements of their workforce – and dispense with the rest.²⁷ To do this, department heads have the authority to recruit, select and promote employees. Georgia enacted a comprehensive reform of its civil service system in 1996 that removed merit system protections and placed authority for most personnel management decisions in agencies and departments. A critical component of this reform was its at-will system.

Some cities, such as Chicago, support both career civil service and at-will employees.²⁸ Their partially

decentralized system allows the Commissioner of Human Resources to delegate recruiting services to individual departments. In Indianapolis, the central personnel department performs a limited role in screening applicants for open positions, but individual departments are responsible for the actual hiring and related functions.²⁹

Despite at-will employment's popularity among reformers, analysis reveals a much less positive picture. In instituting the reform, Georgia used a phased-in approach under which the state simultaneously had at-will and traditional civil service employees. Surveys of employee opinion found significant levels of pessimism among civil service employees while at-will employees were more optimistic.³⁰ This rift continued through employee opinions on trust. The only area of agreement was the perception that favoritism increasingly played a role in managerial decisions.

Literature discussing Florida's Service First employment initiative found similar attitudes. When it came to effectiveness of the program, as many as 75 percent of workers found that the reforms had no impact or a negative impact on service delivery.³¹ Perhaps more troubling was the finding that instead of increasing flexibility, empowering managers, and providing much needed incentive, at-will employment damaged morale.

Despite the popularity of the reform for some, the potential downside of at-will makes it a bad fit for New Orleans. The tendency of at-will to foster resentment, cynicism and frustration among employees is enough reason for the city to look elsewhere for best practices.

Examining Pay for Performance

Pay for performance, a popular reform related to at-will employment and decentralization, seeks to increase the compensation an employee receives in relation to

the work performed or goals accomplished.³² These policies are intended to allow governments to allow managers to use variable pay increases to reward performance. However, these flexibilities are not possible under rigid procedures and heavily stratified pay scales. The problem with civil service is that “the classification and compensation systems are both the defining characteristics and the dinosaurs of public employment, epitomizing a focus on process and procedures, not excellence in human capital resource acquisition and not on performance.”³³

While the federal government has championed pay for performance efforts, states, such as South Carolina, have implemented a policy that incentivized workers with higher pay for better work. Through this policy, state officials were able to successfully give raises to its employees even though the state was facing a growing budgetary deficit.³⁴ Likewise, Arizona implemented a performance based pay plan. However, in 2010, Arizona repealed its pay for performance program due to budget concerns.³⁵ Thus, Arizona was not able to sustain their merit based pay program because of their growing budgetary crises.

Implementing pay for performance in New Orleans would be difficult for several reasons. Chief among them is the fact that it is unclear if it would be legal to implement pay for performance. According to legal experts, the city cannot pay employees over and above the pay they already receive for doing their jobs. Article I of the state constitution prohibits gifts for government workers. Implementing a plan in which employees are given one-time pay increases could violate either or both of these constraints, though neither issue has been tested in court. The state’s constitution specifies that the New Orleans City Council is responsible for authorizing all pay increases, not the Civil Service Commission or department managers. This arrangement makes it difficult for the

city to implement any incentive scheme, as it would have to be managed, on some level, at City Hall. Pay for performance is also difficult now because New Orleans is faced with budget shortfalls. In all likelihood, any plan to introduce pay for performance at the city level would meet a similar fate to the one submitted by the state Civil Service Commission that was rejected by Governor Jindal.³⁶

Shrinking the Classification Structure

More than 28 states have taken steps to decentralize their civil service system by combining or eliminating employee job classifications.³⁷ The shrinking of the classification structure gives department heads the authority to define job descriptions and it increases their ability to use workers where they are most effective. Missouri has approached declassification in a house cleaning fashion in which various agencies remove career protections for some workers.³⁸ Arizona has set a one percent reduction target for their classification structure each year.³⁹

In addition to states, municipalities have also undertaken similar reforms. Formerly, San Francisco required new exams to be administered for every new job classification, a burden due to the extensive list of job classifications.⁴⁰ To remedy this, the city created broader classifications and cut more than 100 classifications. This helped to eliminate excess testing and speed up the processing time for new applicants.

The benefits of consolidating the classification system are well known. In 1999, California’s Little Hoover Commission conducted a thorough assessment of civil service reform at the state level.⁴¹ The Hoover Commission’s assessment included a section that was devoted to exploring the benefits of a “fair but flexible” classification structure and identified reasons for reducing the structure. First, the Commission

WHY NOT AT-WILL?

1. It has achieved mixed results in other places where it has been tried:

Analysis of the most extensive implementations of at-will reveals that it produces both positive and negative results. Two recent examples of at-will reform occurred in Georgia and Florida. In Georgia, a rift occurred between the new at-will employees and the classified employees still in the system about how they view their jobs⁴². In Florida 75% of workers there found the reform had either no impact or a negative impact on the state's services. Additionally, removing employees' job security in Florida directly affected morale. For state employees, it was "no longer a career, much less a calling."⁴³

2. There is no support for it in New Orleans:

Not a single person interviewed for this report expressed an interest in moving the city to an at-will system. Both employees and managers stressed the importance of having civil service. Managers said overseeing an at-will system would be difficult and employees expressed fears of overt favoritism. There is evidence justifying this last point. In 2003, a newly elected district attorney fired 20% of his staff in a single day. That same year, the state's Supreme Court removed a district judge from office who attempted to force his staff to participate in a fundraiser.⁴⁴

3. Managers in New Orleans are unlikely to fire employees anyway:

The belief that allowing managers to freely terminate employees would help them remove unwanted staff from the city is misguided. Most of the managers consulted for this report said they are so short of staff that they would rather keep bad employees than fire them. There is, they said, no guarantee funds would be allocated to hire replacements once the bad employees were removed. So why would a manager fire staff?

4. It is most likely unconstitutional:

The state's 1974 constitution mandates that the city have a civil service system. Removing civil service protections could be interpreted as a destruction of that system. Accordingly, imposing an at-will system is likely to require an amendment to the state constitution. This is a lengthy process that requires widespread political support at both the city and the state level. The interviews reflected that there is simply no political will in the city for such a reform. It is unlikely state legislators would push a reform that their peers in the city were not interested in seeing enacted.

found that “many of the maladies plaguing state human resources are either caused by – or can be detected in – the classification system.” Second, the Commission’s report demonstrated an association between shortcomings in recruitment, flexible pay methods and the explosions in classification systems. Managers who are unable to recruit qualified employees because of cumbersome personnel systems often turn to manipulating the classification system in order to achieve their goals. A similar situation occurs when managers “occasionally create new classes because existing compensation policies are not adequate to retain and reward superior workers.”⁴⁵ Unless the issue of flexibility for managers is addressed, a reduced classification system will balloon once again for the same reasons.

Evaluating Performance

According to Steven W. Hays, “fair and meaningful performance assessment strategies are one of (if not the) most enduring and difficult challenges” facing today’s civil service systems.⁴⁶ Evaluations not only provide a baseline assessment of what an employee or an office accomplishes; they can also influence the effectiveness of other reforms that hinge on the accuracy of evaluations.

Unfortunately, identifying the reasons that performance evaluations are inadequate are a challenge. Evaluations are constantly being transformed according to new theories of how to increase effectiveness. New categories for measurement might be implemented and forms may be simplified or expanded according to what an organization feels it needs to measure. Other changes center on different techniques for measurement such as 360-degree reviews which “provide managers with feedback from multiple sources such as supervisors, peers, and subordinates” and the person being reviewed.⁴⁷

In addition to possible problems with the procedures or the forms involved, some scholars argue that the simplest fix is to address evaluation errors made by the rater. Put another way, helping raters to “recognize what a worker should do on the job, understand how to evaluate performance, and base evaluations only upon actual performance observed.”⁴⁸

The State of Washington has been cited as an exemplar of achievement in the evaluation process, though “no single jurisdiction has assembled all the pieces.”⁴⁹ Reforms in Washington featured an emphasis on supervisor-subordinate communication, a separate procedure for evaluating managers, the elimination of quantitative rankings and ratings, and a 360-degree option.

At the municipal level, Austin developed new performance evaluations that link employee actions directly with agency goals.⁵⁰ Nashville implemented an open-access performance management system that made all forms and guidelines available to employees, supervisors and the public online.⁵¹ Phoenix’s Performance Management Guide has a supervisor record whether an employee meets the core city values or needs improvement. The supervisor also records performance on job duties and goals, as well as prescribes new duties and goals for the next rating period. The employee is provided with a space to comment.⁵²

Clearly, there are a number of options for altering the evaluation system. Some methods will work better for certain departments than they do for others; therefore, the flexibility to implement different procedures in different departments is critical to successful evaluations. The bottom line is that meaningful employee evaluations need to occur. City government departments must have some way to gauge their effectiveness. Under the current evaluation system,

New Orleans is unable to capture any measure of employee effectiveness. Transitioning from the current uniform evaluation to a department-appropriate alternative will be a significant step forward for the city.

Increasing Training for Success

Another important element of civil service reform is employee training and development. The majority of literature on the subject stresses the benefits of and examines attitudes towards training, rather than highlighting specific reforms in states or municipalities. Organizations are unique, and their training needs are likely to reflect this. For instance, The RAND Corporation issued a report with recommendations for improving the New Orleans Police Department. With respect to training, one recommendation is to establish a police-oriented charter school.⁵³ The implementation of this training program may do wonders for the police department, but it does nothing for training other departments.

The literature and case studies illustrate that employee training and development is an essential component of any well functioning organization. It also stresses the point that even in times of financial problems, organizations would be remiss to eliminate or cut funding for training programs.⁵⁴ Not only does training result “in more productive, quality focused, and committed employees,”⁵⁵ but its availability “is a critical element in becoming an employer of choice.”⁵⁶ Given these conclusions, it is easy to see why academics and practitioners both place an emphasis on training programs as an important reform for civil service. The most common explanation for increased employee training and development is that a more skilled workforce means workers are more responsive to the needs of the client and the organization. Benefits can also accrue to the workplace itself by fostering more discipline among workers and fewer hazards in the workplace. Some literature argues that budgets

allotted for training are, unfortunately, one of the first things to be reduced or eliminated in slow economies.

The consequences of a lack of training for employees are obvious. Less efficiency in the workplace is the most common example, but it is important to note that decreased employee morale and increased employee turnover can be severe consequences as well. Surveys show that 99 percent of workers not only view training favorably, but want employers to provide more opportunities for it.⁵⁸ If the presence of training programs makes an organization attractive to workers, then a lack of training programs not only prevents the recruitment of the best employees, but also reduces the ability to retain existing employees. An organization that lacks training or “indiscriminately” reduces training budgets likely “sends the message to its employees that it considers their professional development to be unimportant.”⁵⁹

The city of Phoenix has taken steps to address the need for employee development. Their Human Resources Department website lists numerous developmental offerings of which employees can take advantage.⁶⁰ Primarily, the city provides development and training for its employees on a regular basis, including “management academy” workshops and multiple supervisory development programs. Memphis takes a more broad scale approach and uses a “learning academy” which is “responsible for assessing, developing and implementing all quality improvement and training initiatives for the city of Memphis.”⁶¹

Recommendations

The problems this report identifies in the Crescent City are not unique. They are common challenges that states and other municipalities have faced. Accordingly, this report identifies policy reforms and best practices that have been implemented across the nation. The following policy recommendations are directly related to both the problems detailed in this report and the academic literature that discusses relevant reform efforts. The general theme of these recommendations centers on a gradual decentralization of the city's civil service system. It should be stressed that decentralization does not abolish civil service. Rather, it is the delegation of many basic human resources activities to individual departments. Such a shift will not require much in the way of additional resources, because it is essentially a shift of responsibility – not personnel and budget funds. This last point is crucial. Given the city's current financial climate, a list of recommendations that requires a significant commitment of additional dollars and employees would probably be dead on arrival.

This report offers both short term and long term solutions. The short term policy recommendations can be implemented internally, almost instantaneously and at little or no cost to the city. These recommendations can be classified as “quick fixes,” but their impact could be substantial. Unfortunately, not all of the problems identified with the civil service system can be fixed overnight with minimal commitment. Solving some problems will require more time, more work and more resources. This report's long term recommendations offer policy options that deal with the way the entire civil service system functions, and subsequently, these will require substantial vision and effort by the city.

Short Term Recommendations

1. Improve Technology in Civil Service

Grant Civil Service Access: The Civil Service Department does not currently have administrative access to online job postings and the city's website. Further, the department does not have direct access to much of the city's internal data, making it difficult to complete assigned tasks. Providing access would enable

Moving Forward Implementing the Recommendations

The Louisiana State Constitution does not require civil service in New Orleans to function in its current format. The constitution only stipulates that the city has to have a civil service system. There is nothing in the constitution that speaks to what kind of system the city should implement, in fact the State has an entirely different system. This leeway leaves the city free to put together almost any type of civil service system it desires. Moreover, in terms of this report, the city can easily adopt any of the following recommendations. The Civil Service Commission in New Orleans has the legal authority necessary to institute these suggestions. The only thing required is for the commission to amend its rules and alter its current practices. Of course for best success, support will be needed from both the Mayor and City Council.

RECOMMENDATIONS

the personnel director and staff to manage online content and track changes in the civil service system. These are basic resources required to effectively run any civil service system. Additionally, improved internet access would allow civil service to upload forms and guidelines that other departments could then utilize.

Expand Online Applications: Current hiring efforts in New Orleans do not reach a wide enough audience to attract the best candidates. In the best job markets, technology has advanced and changed how people are recruited for work. The city should create one virtual job portal and allow individual department heads the authority to post job vacancies online. Additionally, applicants should be able to apply online. This would drastically improve the application process, allowing New Orleans to attract an entire segment of candidates that it is currently not reaching.

2. Expand Recruitment Efforts

The city should begin recruiting on college campuses and at regional job fairs. It should also fax job vacancies to schools, organizations and job recruitment centers. The city of Shreveport, for example, sends faxes and emails each week to more than 100 recruiting sources.⁶²

Develop an Internship Program: The city's decimated workforce could augment its low numbers practically overnight by instituting a low-cost internship program that takes advantage of nearby colleges, universities and technical schools – all of whom have student bodies studying in relevant fields who need to enhance their resumes. By bringing these students to the city as unpaid interns, the burden on current staff could be reduced. The program could also help identify future employees.⁶³

3. Make Performance Evaluations Count

Currently, the city's performance evaluations are useless, in that they do not measure an employee's

effectiveness, professionalism or performance. Indeed, the only thing the forms are "effectively" used for is to determine layoffs. This must change. Evaluations cannot remain the sole criteria for layoffs, because it makes managers reluctant to fill them out accurately. The city should adopt a new evaluation model that actually reflects an employee's strengths and weaknesses.

Delegate Evaluations: Civil service should abandon its one-size-fits-all evaluation model and allow individual departments to create and conduct their own internal assessments. This allows managers to develop evaluation criteria that better reflect the skills necessary in their departments. Public works and police are entirely dissimilar services and each has unique needs and performance management criteria. Evaluating these departments with the same form should not be acceptable.

4. Train Employees and Managers

Teach Employees the Process: Part of the reason the Civil Service Commission deals with so many appeals is that many employees and managers do not understand how to navigate the disciplinary process. The commission should provide training to educate employees and managers about their rights and responsibilities. San Francisco, for example, has designed and implemented a training program that educates supervisors about management and discipline.⁶⁴

Long Term Recommendations

1. Decentralize to the State Model

Refashion Civil Service: The city should re-characterize its Civil Service Department, and in doing so, change its role from a highly centralized management body to one that functions as more of a consultant, advisor and evaluator. In this role, civil service provides broad guidelines for departments to

RECOMMENDATIONS

follow and then ensure oversight of those guidelines. This would mimic the process that has already taken place at the state level. In South Carolina, another decentralization model with similar attributes has proved successful.⁶⁵ Adopting this model in New Orleans simply takes the way the city already handles the employee disciplinary process and extends it to other HR functions.

2. Empower Department HR Managers

As a part of its efforts to decentralize, civil service should allow individual department managers and their staff to solicit, evaluate and then hire new employees. This would follow a model many states have chosen to adopt.⁶⁶ Along with this recommendation, some additional training may be required: Louisiana, for example, placed a great deal of emphasis on training managers and staff to identify competent employees. Such training helps ensure hiring consistency across all departments.

3. Increase Flexibility in Promotions

Allow Departments to Test: Individual departments with individual needs should be allowed to develop their own unique set of criteria and distinct tests for job advancement. Civil Service's tests are either too outdated or too infrequent to fulfill current department needs.

Allow Departments to Promote: Grant managers and supervisors the authority to identify and promote employees within their department. In Georgia, for example, civil service has allowed state agencies to handle all of their own promotions.⁶⁷ If there are problems with promotions, those issues can be adjudicated through civil service.

4. Revise Job Classifications

The city should redesign its entire job classification system so that it more accurately reflects what

employees are doing on the job. There are two approaches to the sort of massive re-classification this report recommends. The first creates broader job descriptions, as San Francisco and Louisiana have done. This model allows for fewer resources to be devoted to testing. It also expands management's ability to recruit and promote employees because with fewer classifications, managers have the flexibility to restructure their departments and reassign personnel to where they are needed. The second model, implemented in Georgia, removed uniform classifications altogether and allowed individual managers to hire whomever they like and create whatever job title is appropriate for that person.⁶⁸ However, New Orleans should avoid this method, as it has led to a proliferation of job titles in Georgia and charges of favoritism. These issues could easily exacerbate longstanding patronage concerns in the Crescent City.

Further Issues to Consider

In addition to the problems this report has identified and the solutions it has proposed, a few other issues should be mentioned. These are items that were discussed by interview subjects or came to the project team's attention during the literature review.

Increased Public Input: Many cities, such as Phoenix, allow for residents to participate more openly in municipal government. Finding ways to increase the public's ability to participate or comment on civil service in New Orleans should be considered in the future. It is not unheard of, for example, for local governments to have a kind of Public Ombudsman who responds to public queries and complaints and helps audit the city's behavior and functionality. Such a position in New Orleans could go a long way toward restoring the public's confidence and trust in the municipal government.

Commission Makeup: The city's current system of allowing university presidents to select commission members is a holdover from the patronage fears that drove the creation of civil service in Louisiana in the first place. As such, it is extremely rare. Other cities and states have different selection methods, and as a result, many of these places have boards with people from different professional backgrounds than the commission in New Orleans (where most are attorneys at law). If civil service in New Orleans is to remain the same, then it is critical the commission acquire members who have more experience with management and human resources. Much of the lack of will to implement changes in the current system stems from the fact that the current commission seems unaware of advances in human resource practices, and as such, is disinclined to explore radical policy changes that would alter how the system works. However, if the city intends to follow this report's recommendations to gradually decentralize, then the commission's current contingent of attorneys is less problematic. In a decentralized civil service system, the commission loses most of its managerial responsibilities. It does, however, keep its legal duties. Given this reality, a board of attorneys would be highly desirable in a decentralized model.

Pay Scale: Numerous interviews criticized the city's current pay scale and compensation rates. Reforms to city and state pay scales are common across the country, however in New Orleans' current financial climate, addressing employee pay seems impossible. The reality is that any attempt to increase pay would probably be stopped before it got off the ground. While pay has been and will be a topic of concern in the future, the position of this report is that more effective and efficient tools for managers are more important at this time.

Concluding Remarks

Zell Miller, former governor of Georgia, once told his state's legislature that "too often in government, we pass laws to fix particular problems of the moment, and then we allow half a century to roll by without ever following up to see what the long-term consequences have been."⁶⁹ In that case, Miller was talking about Georgia's antiquated civil service system, but his words could just as easily have applied to New Orleans and its system of employee management.

Put in place in the wake of Huey Long's controversial tenure as governor, Louisiana's and New Orleans' civil service systems were designed to resolve problems identified by critics and legislators in the 1940s. Those problems – spotted almost 70 years ago – are not today's problems. Louisiana's government recognized as much in the 1990s when it first began to examine how it could reform the state's civil service system. The result of this effort was ASCEND 2020, a reform package that decentralized civil service and adopted methodologies more in tune with contemporary human resource practices.

However, at the municipal level, the civil service system in New Orleans has remained largely unchanged, and as a result, the city's workforce has functioned less effectively. Additionally, fallout from Katrina has severely impacted the resources available to city officials and limited the policy initiatives they are able to undertake. The city's Civil Service Department has not adapted to this new reality. Rather, the department continues to do things today the way it did yesterday – and the day before. At the same time, examples of high-profile corruption and abuses of authority by city employees have tainted the image citizens have of the city, their elected leaders and public servants.

The Business Council of New Orleans and the River Region has identified civil service reform as an issue it believes is important to combat these trends and help reorient the city for future success. In holding this belief, the council and the city are actually on the same page. That is, city officials widely acknowledged during the preparation of this report that the civil service system needs to be drastically refashioned. In that regard, city officials should not view this report as damning or damaging criticism. The Civil Service Department, especially, should not take the material contained in the previous pages as a personal attack: the department has simply implemented the mandates it has been assigned. This report has been produced in the hope that it can be a tool to help the city, business leaders and residents move forward together. After all, problems cannot be fixed if they have not successfully been identified, acknowledged and understood by all the stakeholders.

What happens now is entirely up to the people of New Orleans. As Ralph Waldo Emerson wrote, the type of government that exists in a particular geography is a reflection of that community's strengths, weaknesses, desires and tolerance.⁷⁰ After the storm in New Orleans, there seems to be a tangible desire to change the city's government for the better. As far as civil service is concerned, this positive attitude was reflected by every single current and former city employee this report consulted. That is, there is a clear consensus that New Orleans can and should be doing things better. If this report contributes to any efforts that help translate this belief into a reality, it will have achieved its goal.

Appendix I : Endnotes

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