

A History of Personnel Systems for Washington State



A Centennial Project

Washington State
Department of Personnel
Olympia, Washington

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A Report Prepared by

Washington State

Department of Personnel

Olympia, Washington

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PREFACE

This history traces the major events that have developed the personnel and merit service systems for state government in Washington State. It is aimed at future Personnel Board members, new employees, new members and staff of the legislative branch, and future governors and their staffs. Each of these audience categories will benefit from the insight of knowing what has gone before. What was it like before the 1960 Initiative 207? Did we ever have a true "spoils system" for state jobs? Has this ever been tried? What happened? At the least, each party in future discussions about personnel and civil service will have a common base of reference, a shared understanding of what went before in Washington State and, perhaps, why. Justice Oliver Wendell Holmes captured a major purpose of this report, "Upon this point a page of history is worth a volume of logic."

With sincere apology, names of individuals have been kept to a minimum in this report. Events are the main focus of this chronological summary. It is the task of others to go "behind the event" and talk about the personalities and values that caused an event, be it passage of a contested bill or a particular decision by the Personnel Board or by a Governor. Hopefully this brief history will spur graduate students and actual participants to more fully detail a particular event. It is freely admitted that people make history. Each reader is urged to take an event or a person and carry on from where this summary version leaves off.

Time is important to following history. To many in state government, governors are convenient milestones. "That happened just after Governor Rosellini came to Olympia" or "It was toward the end of Governor Langlie's second administration". To assist the readers, recent Governors of Washington are listed:

- 1933-1940 Clarence Martin (D) 1965-1976 Daniel J. Evans (R)
- 1941-1944 Arthur Langlie (R) 1977-1980 Dixy Lee Ray (D)
- 1945-1948 Monrad Wallgren (D) 1981-1984 John Spellman (R)
- 1949-1956 Arthur Langlie (R) 1985- Booth Gardner (D)
- 1957-1964 Albert Rosellini (D)

As a style note, each section is arranged by time. Each significant event (and good people may disagree over what is significant!) is described by a sentence or paragraph. Finally, a summary at the end of each section describes the then-existing personnel organizations. The reader can assume that an organization or system continues in time unless there is mention of a change.

Over the 100 years covered by this report, certain words or phrases have changed their meaning. A merit system is often called civil service. Civil service, originally non-military government jobs, became public service. Glen Stahl in his 1971 authoritative **Public Personnel Administration**, 6th Edition, discussed certain terms:

Initially the concept of merit system applied solely to the manner of entrance into the service. Indeed, the term appears not to have been used at all in the early years of civil service reform. Erroneously the phrase civil service still lingers with a connotation of appointment by examination simply because the subject of reform came to be confused with its nature. But the more accurate designation is merit system. Civil service, after all, merely distinguishes civilian pursuits in government from military. A civil service can literally be manned under either a patronage or a merit system.

Nowadays, the term merit system is commonly used not only to convey a form of selection for entrance to the service but also to embrace other aspects of the personnel system--advancement on merit, pay related to the nature of the job and to quality of performance, and desirable working conditions. In its broadest sense a merit system in modern government means a personnel system in which comparative merit or achievement governs each individual's selection and progress in the service and in which the conditions and rewards of performance contribute to the competency and continuity of the service.

In the state of Washington, "civil service" was already used in the early 1900's for state jobs. The 1936 initiative for a "merit system" was titled "a civil service system" and the two terms have been used interchangeably ever since. By 1988, "public service" was equivalent to "civil service". This inclusive term covered the merit system employees and those exempted from the merit systems.

In a similar vein, "reform" is a touchy word. To some, reform is "to make better by removing faults and defects". To others, the secondary listing for "reform" in a dictionary is assumed: "to form again". "Civil service reform" can often be a challenged phrase. Proponents of a change often called it reform while opponents preferred other terms.

Table of Contents

The Beginning - Territory to 1920	1
The Great Depression and Grants-In-Aid Merit Systems	5
Initiative 207 in 1960	15
The Next Thirty Years	21
Acknowledgements and Sources	41

THE BEGINNING - TERRITORY TO 1920

The Territory

After the Washington Territory was created in 1853, at least some of the governmental functions were contracted to the low bidder rather than hiring government employees. For example, care of the mentally ill was provided by the Sisters of Charity under a three-year contract that started in 1862. The Territorial Legislature had trouble paying for this contract and when the Army's Fort Steilacoom became available in 1871, it was purchased and converted to a permanent asylum.

Much of the service was, however, still provided by bid. The Medical Society of Washington Territory lobbied the Territorial Legislature to reform the brutality and living conditions. In 1875, the Legislature directed that a competent physician be recommended by the Governor and approved by the Legislature to run what became Western State Hospital. This is one example of the beginnings of a personnel system in Washington. Printing services and care of adult prisoners were other examples of services that were "contracted out" rather than being performed by state employees. On the other hand, the Territorial University reported five professors and 150 students in 1887. Slowly, the number of employees began to increase.

A Presidential Assassination Calls for Civil Service Reform

To go backward in time for just a moment, an "outside" event that provided context for

Washington's personnel systems was the 1881 shooting of President James A. Garfield. At that time, a "spoils system" allowed the victorious political party and, in particular, the candidate for President to appoint supporters to the federal jobs. Thousands of people would petition and then pay "assessments" for the federal positions. While the history of the federal civil service is a separate and interesting subject, it is only noted here that merit system bills had been introduced in Congress since 1864. Most of the proposals were based on the British civil service system.

An unsuccessful applicant acted out his frustration by shooting the President who would not appoint him to a particular position. This tragic event caused the congress to pass the "Pendleton" or the Civil Service Act of 1883 to, in part, protect the elected officials. The Pendleton Act required competitive examinations, an open door policy for recruitment, and the doctrine of political neutrality. While only ten percent of the executive service was covered, the concept of "merit service" became part of American government even before Washington became a state. The Pendleton Act affected only federal positions. State and municipal governments were not directly impacted.

Statehood

Washington became a state in 1889. Each agency or institution, as they were formed over the years, had a director appointed by the Governor. In turn, each director had the responsibility and authority to hire and fire. Salary levels for each position were recommended by the director and then approved by the Governor and the Legislature in the biennial appropriation. The new state's legislators increased the number of state employees by starting three state normal schools and the state agricultural college during the early 1890's. The state's takeover of the county road systems in the early 1900's also added more people to the state personnel system.

The Early Days of Civil Service

While the political loyalty of the employee was important, the elected officials were also held accountable for the taxpayers' money. Certain "check and balance" systems, however rough they seem today, were in place. If a totally incompetent or absent state employee was kept on the payroll, the opposite party or the newspapers would make an issue of it. In addition, elected officials must be given credit for having the best interest of the state at heart. Each incumbent "played the game according to the rules" and the public was in charge of the rules. Patronage was acceptable. In fact, "patronage" evolved as an American countermeasure to the British "reservation" of civil jobs for the educated or elite. The spoils of the democratic elections replaced the inherited civil service positions of the British gentry. A four-year rotation of people was an early civil service "reform".

Through the early 1900's, each agency was responsible for its respective recruitment, promotion, discipline, and other personnel functions. For example, the University of Washington and the "normals" or state teacher colleges, were, upon their creation, self-contained as far as personnel policy and procedures. A personnel officer would report to the President who reported to the Regents who were appointed by the Governor.

In Olympia, the executive agencies were somewhat more coordinated by the Governor. He would stop obvious abuses, approve many of the appointments, and "suggest" that certain people be hired. This system was truly responsive when people voted for change.

The legislative and judicial branches were fiercely jealous of their autonomy from the executive side of government. The majority party in the House of Representatives and the Senate controlled the minimal hiring for the biennial sessions. The nonpartisan members of the state Supreme Court handled their personnel organization in a more collegial style.

THE GREAT DEPRESSION AND GRANT-IN-AID MERIT SYSTEMS

1920-1935

Part of the state's personnel system or, more correctly, systems became more focused in 1921 when the Administrative Code was enacted by the Legislature (C7L21). Ten agencies were named as "code" agencies with their directors to be appointed by the Governor with the consent of the Senate. These ten directors and the Governor constituted the Administrative Board. The Board had the power to, among other duties, "...classify all subordinate officers, and employees of the State offices, departments, and institutions in accordance with the system of classification prepared by the director of efficiency." Also, the Administrative Board was..."To, from time to time, determine the salaries and compensations to be paid such subordinate officers and employees in accordance with the classification and scale of salaries and compensation adopted by the board." Elsewhere in this 1921 Act, the Director of Efficiency (the predecessor of the Director of Financial Management) was instructed:

To prepare and recommend to the administrative board a system of classification, salaries, and compensations for all subordinate officers and employees of the state offices, departments, and institutions other than educational institutions, including, (a) a basic rate of fixed work value, (b) titles of recognized work requirements by subclasses and grades of employment, (c) standards of educational or experience qualifications for each class or sub-grade of employment, (d) classified minimum require-

ments to be met by persons before being eligible for appointment or employment, (e) classified standards to govern promotions and transfers, (f) classified standards of service provisions requiring efficiency of service, (g) classified standards of increasing compensations based on length and quality of service, (h) regular scale of salaries and compensations, and (i) progressive scales of salaries and compensations for efficiency of service, and a tentative schedule for all existing subordinate officers and employees based upon such system, and to, from time to time, recommend such changes in the system of classification and the schedule adopted by the board as he shall deem for the best interest of the state.

This approach to personnel organization, while it did bring some standardization, did not apply to the legislative or judicial branches of state government. In addition, the Highway Department, which was created in 1905 (C174L05), and the Highway Police (later the State Patrol), created in 1921 (C108L21), were notable executive branch units that were *not* mentioned in this 1921 Act. And as specifically exempted in the law, the institutions of higher education were not covered. As a descriptive note, the Director of Efficiency, Mr. A.E. Judd, mentioned in his transmittal letter of the preliminary 1935-1937 budget to Governor Martin that, "With reference to the details of salaries and wages submitted by the educational institutions, we wish to call your attention to the fact that there is no uniformity in conditions of employment, methods of payment, or in the manner of showing such information in the budget."

The Administrative Board and the Department of Efficiency continued certain personnel functions through the 1920's into the 1930's. Patronage was still a major part of the basic personnel system. Individuals could be asked to leave without a work-related cause and another person, who apparently had to meet the minimum qualifications in certain agencies, could be appointed. A brief extract from the history of the State Patrol serves as an example:

In 1925 William Cole was appointed to replace Orin Leidy as head of the department. Orin Leidy had assumed the duties of administrator six months after the patrol's creation. Leidy's secretary, Helen Christensen, who later was commissioned, ran the patrol for the week or two before Cole could assume office. As hiring and firing were governed largely by politics, Cole immediately reduced the number of personnel from 30 to 7 and began recruiting new patrolmen in 1925 and 1926. In 1926 Chief Cole instituted the first in-service training. In 1927 the Legislature appointed the Chief 'Director of Traffic' and authorized the hiring of more patrolmen. By the end of that year there were 57 officers. A number of patrolmen were using their own cars on duty. In 1927 the Patrol bought its first 'paddy wagon', a Ford panel delivery truck, and assigned it to Snoqualmie Pass.

By and large, the 1920's saw little change in personnel administration in Washington. However, nine other states had adopted some type of a merit system by the end of World War I.

1935-1945

The major influence on public personnel systems in Washington and throughout the nation during the 1930's was the merit system "strings" that were attached to the federal depression relief funds. If a county or state wanted the federal money, they had to have an acceptable merit system to handle it. This was spelled out in the 1935 federal Social Security Act. The politically accountable Congress was not interested in state and county sinecures. The required elements of a merit system included competitive examinations and requiring job related cause for dismissal. The federal merit service requirements had, in turn, been derived from the 1883 Pendleton Act.

The counties were involved because they established the first "poor laws" in the territorial days. In fact, the state had very limited participation in welfare programs prior to the Great Depression. At this time, however, the state became a "pass-through" agency for federal funds going to local government social programs.

The state first complied with the federal requirement for merit service as part of the 1933 Emergency Relief Administration (C8L33). Later, this compliance evolved to the merit system within the state Department of Social Security. Job applicants were tested by the state and then county commissioners were given a list or "register" of eligible persons. The county did the hiring.

There was considerable argument as to whether an employee was a state or county worker. In 1935, a state minimum wage of \$100/month was passed and included state employees. A court test later determined that welfare "visitors" or caseworkers at the county level were state workers and entitled to at least \$100 per month.

The state legislature went beyond merit service for welfare administration by passing a permissive merit system law for municipal fire departments in 1935 (C31L35) and police departments in 1937 (C31L37). Further, the state Director of Highways was given the power and duty to "devise and put in place...a practical and workable merit system...and the same shall by him be followed..." (C53L37).

The first major attempt for a merit system for all state (and local) agencies was Initiative Measure No. 101 in 1936. It was supported by the League of Women Voters, the grange, and labor organizations. Both political parties adopted widespread civil service as a part of their convention platforms. The sponsors were successful in getting the initiative on the 1936 general election ballot. Initiative 101 was explained by the ballot title:

AN ACT establishing a civil service system for the state, and for the counties, cities, ports, school and port districts, and public libraries of the state; providing for the

appointment of civil service commissions therefore and a civil service system based upon examination, meritorious standard, efficiency and fitness for appointment, employment and promotion of all employees in the classified service of the state and such municipal subdivisions thereof; and regulating the transfer, reinstatement, suspension and discharge of all such employees subject thereto.

As a reading note, from this time on, a "civil service system" became synonymous with a "merit system". Initiative 101 examples this interplay of merit and civil service.

Some characteristics of the 1936 proposal included a three-person citizen-based state commission, a personnel director appointed by the state commission, open competitive examinations, a "rule of one" for subsequent referrals, and no removal or dismissal of a classified employee except for cause. The initiative was written in bill form and was 36 sections in length. It followed the "Model Civil Service Bill" proposed by the National Civil Services Reform League. At least 12 other states had adopted some version of the model act.

Despite the lengthy list of endorsements in the voters' pamphlet, the measure was defeated in the 1936 general election. The final vote on Initiative 101 was 208,704 in favor and 300,274 opposed.

In 1937, the Legislature passed an act that required the Director of the Department of Social Security to establish a merit system (C180L37). At that time, this department included both welfare and unemployment compensation functions. Under this 1937 law, a Board of Sponsors was established which was the forerunner of subsequent personnel boards.

Two more initiatives to the people for a merit system, numbers 128 and 131, were filed in 1938. Neither proposal received enough signatures to qualify for the ballot. In total, six initiatives for a state civil service or merit system were filed before one of them, Initiative 207, was validated and passed in 1960.

An Executive Proclamation Creates the Central Personnel Agency

In 1939, the state Central Personnel Agency was created under the general authority of the 1921 Administrative Code Act. An Executive Proclamation created the Central Personnel Agency and placed it under the Standards Committee. The Personnel Agency performed selected personnel functions for the employees *not* under the grant-in-aid merit service program. Both the Central Personnel Agency and the Standards Committee were under the Governor. They served to bring some alignment for such personnel related items as salaries for comparable work and uniform leave among partisan or patronage employees. The members of the Standards Committee were heads of agencies that answered to the Governor.

Also in 1939, the Legislature passed an act that separated the Office of Unemployment Compen-

sation and Placement from the Social Security Department (C214L39). The bill gave the Commissioner of Unemployment and Placement the personnel powers and duties formerly exercised by the Director of Social Security on behalf of the unemployment program.

The 1939 Legislature also amended the merit system provisions relating to the Social Security Department and authorized the Social Security Committee to administer the plan and adopt rules and regulations as necessary (C216L39). It was in this act that the first mention of a joint merit system appears in the Washington State Laws, making it permissive. Under this law, a three-member Merit System Council was appointed.

The Federal Government Mandates Merit System Provisions

Early in 1939, Congress made the merit system provisions in the federal Social Security Act mandatory for all state grant-in-aid agencies. This meant that the Health Department had to participate in a merit system in order to qualify for certain federal funds. To accomplish this, the Health Department requested permission to join the Social Security Department's merit system.

The federal Hatch Act was passed in 1939 (5 U.S. Code 1501-1508 and 7324-7327). It extended limitations on partisan political activity by public employees to state and local governments that received federal funds.

In 1939, state employees began to organize for collective bargaining about labor issues. The welfare system was the first area to be organized. By 1942, there were 12 local unions affiliated with the American Federation of State, County, and Municipal Employees. The Washington Federation of State Employees was chartered by the American Federation of State, County, and Municipal Employees in 1943. To the extent that state government hired skilled craftsmen, other craft and trade unions also began to represent state workers.

The 1941 Legislature Considers Personnel Bills

The Legislature considered at least four bills which contained merit system provisions as it met in 1941. Two of the bills, which amended the Unemployment Compensation and Social Security acts, were passed. The bill that would have provided a separate merit system for the Health Department failed. The bill for statewide civil service, which was introduced for Governor Langlie, also failed to pass.

The Unemployment Compensation Act of 1941 included provisions for establishment of a joint or

multiple agency Personnel Board (C253L41).

Governor Langlie held a meeting on April 1, 1941, to establish the joint merit system. It was attended by representatives of three departments (Health, Unemployment, and Social Security), the chairmen of the Merit System Council and the Advisory Committee on Personnel, as well as the Governor's administrative assistant, Mr. Ross Cunningham, and a few other state officials. At the end of the meeting, the Governor ordered the establishment of a joint merit system to serve the three departments. He appointed a three-member board to act until the new legislation took effect on June 12. This joint merit system board became known as the State Personnel Board, a title that continued for at least the next 45 years.

The Merit System Division in the state Department of Social Security had 29 positions by 1943. Also in 1943, the State Patrol uniformed officers were granted better job security in the State Patrol Tenure of Office Act (C205L43). The State Patrol's officer personnel system was always kept separate because of the need for military-style organization and discipline. In 1949, the State Patrol was required to conduct promotional examinations and maintain eligibility lists (C192L49). The top candidate for sergeant, lieutenant, and so on was next in line for an opening--a "rule of one".

In 1944, Governor Langlie met with the State Personnel Board and asked it to "bend" certain merit system principles such as minimum qualifications in order to keep state government in operation for the duration of World War II. Agreement was reached.

1945-1949

In 1945, a bill was introduced to create a "Little Civil Service Program". It failed to pass. However, the Legislature did recodify the 1941 Unemployment Compensation Act. The enabling section for the personnel board in the 1945 Act follows:

SEC. 42 of Chapter 35, Laws of 1945. Personnel Board and Commissioner's Regulations. For the purpose of insuring the impartial selection of personnel on the basis of merit, the Governor shall appoint a personnel board of three members who are known to be interested in the selection of efficient government personnel, and who are not officers or employees of any department or office of the state, or elected public officials. All appointments shall be for a term of six years, except that the terms of the members first taking office shall be two, four and six years, respectively. All personnel of the Office of Unemployment Compensation and Placement, and such other departments or offices of the state as the Governor may designate, or as provided by law, shall be selected from registers established by the personnel board. The Commissioner is authorized to adopt such regulations as may be necessary to meet personnel standards promulgated by the Social Security Board pursuant to the Social Security Act, as

amended, and the Act of Congress entitled "An Act to provide for the establishment of a national employment system and for cooperation with the state in promotion of such system, and for other purposes," as approved June 6, 1933, as amended, and to provide for the maintenance of the merit system required under this section in conjunction with any merit system applicable to any other state agency, or agencies, which meets the personnel standards promulgated by the Social Security Board and the personnel board in making up registers for the Office of Unemployment Compensation and Placement shall be governed by such regulations.

Several agencies were added to and then taken out of the jurisdiction of this Personnel Board by succeeding Governors. The basic grant-in-aid agencies stayed under the Board, however, to assure the continued flow of federal money.

The Oregon Civil Service Law was enacted in 1945. The "prime movers" were the League of Women Voters and the Oregon State Employee Association.

In 1946, Initiative to the Legislature Number 15 was filed. The proposal would have the legislature adopt a state civil service system or propose an alternative system for public vote. No signatures for validation were submitted and the measure died.

Salary Survey Findings Go in Search of Agency-by-Agency Funding

Separate appropriations to each agency in 1947 may or may not have allowed the pay increases that were adopted by the State Personnel Board. (The Board had surveyed salaries in the private sector.) Thus, similar jobs in state government received different wages until each agency could "find" the money to meet the salary survey. Also in 1947, the Public Employees Retirement System was started (C274L47).

Under pressure from the federal government and its road construction money, the State Highway Merit System was modified by the legislature in 1949 (C220L49). The system was under the Director of Highways. Positions in the maintenance and shop sections were not covered by this 1949 act. Later, in 1955, they were included (C383L55). Also, in 1949, the Legislature recodified the various acts relating to fisheries and included a provision placing employees of the Fisheries Department under the merit system/State Personnel Board.

Civil Service Bills Flourish and Flounder in Late Forties

Still in 1949, another bill were introduced to create a statewide civil service commission. The bill

failed to pass. This version, House Bill 313, proposed a three-person, full-time Commission. The preamble to the bill listed several provisions including "prohibiting certain political activity and political assessments respecting classified employees of the state."

House Bill 313 of 1949 would have "grandfathered" or "blanketed in" the then current employees into a combined state classified service. This inclusive feature, which was also in the 1936 Initiative 101, created an institutional opposition to HB 313 as well as to later civil service bills. The catch was that the incumbent Governor would have "his" appointees placed into civil service positions and then protected. The opposite political party would be tempted to vote "no" until its Governor was in office. In fact, Governor Langlie, a Republican, and Governor Rosellini, a Democrat, both had merit system bills introduced by executive request. Both bills failed in the legislature, in part because of the "grandfathering" argument. Some legislators probably voted no on their convictions that a merit service in general would do more harm than good, regardless of who appointed the first employees. Others perhaps voted yes regardless of who controlled the first generation of state employees.

1950-1954

In 1950, a joint meeting between the grant-in-aid State Personnel Board and the Committee on Standards (for other employees) was held. They tried to reach agreement on better uniformity in compensation of similar positions. The press and the opposite political party were putting pressure on the Governor and the Committee on Standards to follow the personnel practices, especially wages, for the merit system employees.

Both political parties, and to a great extent, the public, accepted the patronage system of replacing some state employees with other persons after an election. This replacement was more prevalent in the lower skilled positions and in the highest management positions. The "middle" or technical jobs in the health care and other complex areas experienced less turnover.

In 1951, loyalty oaths to the United States of America became part of the state job application form. This was also the year that Governor Langlie had Senate Bill 141 introduced to create a State merit system. The bill failed. At the same 1951 session, Senate Bill 335 was passed to adjust annual leave and fix the workweek definition for all state employees. The Legislature had to deal with the details of the several personnel systems. In later years, the citizen-based personnel boards were authorized to attend to such matters.

Institutions Placed Under Personnel Board

In 1951, the Legislature established a Division of Children and Youth Services within the Department of Institutions. The division included six of the thirteen state institutions. The employees of this division were placed under the State Personnel Board.

Perhaps frustrated by the failure of his 1951 merit system bill, Governor Langlie put the rest of the Department of Institutions employees under the State Personnel Board by proclamation. This was some 3,550 positions. In addition, he signed an Executive Order to create a three-member merit board in the Department of Labor and Industries. This Board used the merit rules of the State Personnel Board. He also sent another Executive Request merit system bill to the legislature in 1953. It, too, failed.

The Governor appointed the Committee on State Government Organization in 1951. It became known as the Schefelman Committee after its citizen Chairman, Harold Schefelman. One of the Committee's twelve issues was the need for state civil or merit service. The resulting bill was defeated in 1953. The Legislative Council continued to study the issue of a merit service after the 1953 session.

1955-1959

In 1955, the Legislature placed the maintenance and shop employees of the Department of Highways under the Highway Merit System. State employees were also included in the federal Social Security program for the first time this year even though there was already a state retirement program. Arguments about inclusion in the social security program caused dissent in the major employee organization. The Washington State Employees Association, later known as the Washington Public Employees Association, was organized at this time by some former members of the Washington Federation of State Employees.

Senate Bill 108 was introduced by Senator Rosellini in 1955. This measure, which would also have created a merit system, was killed in the House by a 50-49 vote.

Turnover Predicted After 1956 Election

The November 3, 1956, **Bremerton Sun** ran an article under the headline "5,000 Jobs Threatened by Election". The story referred to the patronage jobs that could be affected by the next week's 1956

general election for Governor. The article went on to suggest there was inefficiency in this scale of turnover in State jobs. Earlier in 1956, the Washington Federation of State Employees announced plans for an initiative for a state merit system. This plan was later dropped as the Federation used its limited resources to fight a "right to work" proposal. As an additional note on the mid-1950's, state employees were considered as temporary by some local merchants. According to state employees of that time, certain stores were very hesitant to extend retail credit to the "statehouse workers" in Olympia.

One of newly-elected Governor Albert Rosellini's first actions in 1957 was an executive request measure for a merit system, Senate Bill 402. It did not pass. Later in the year, the Seattle Times editorial of June 10, 1957, under a title of "Cost of Patronage", pointed out some specific personnel costs caused by the recent change of Governors and said a more stable merit service could have prevented much of the cost.

Personnel Bills Continue to Circulate and Fail

Also in 1957, Governor Rosellini rescinded the executive orders or proclamations that had created the Labor and Industries Merit System Board and placed all of the adult institutions under the State Personnel Board.

Another bill for a merit system was introduced in 1959, Senate Bill 485. It failed. House Bill 639 in 1959 was introduced to take the maintenance and shop employees out of the Highway merit system. It, too, failed.

As a last note for 1959, a local of the International Typographical Union walked out in a one-day work stoppage at the State Printer. The union claimed political interference in assignment of workers in a new photocomposing process.

Summary : 1925 to 1959

To summarize this period of the state's history, there were a number of personnel systems in operation. The State Personnel Board, whose members were appointed by the Governor for six-year terms, provided a personnel system for the "grant-in-aid" agencies in a merit service mode. The Central Personnel Agency, a creature of the Standards Committee, provided some personnel services to the agencies that did not receive federal grants and were under a patronage system. The Highway Merit System, under the Highway Commission, covered that agency. Each institution of higher education had a personnel system under their respective Board of Regents and Trustees. The State Patrol, State Printer, each elected official such as the Land Commissioner and Insurance Commissioner and the Legislative and Judicial branches had separate personnel systems, policies, and procedures.

INITIATIVE 207 IN 1960

For state personnel systems in Washington, 1960 was a watershed year. By direct vote of the people, a civil service personnel system was adopted by the passage of Initiative to the People Number 207. Governor Rosellini signed the law on December 9, 1960. It had passed with 606,511 votes for and 471,730 against.

Actually, two initiatives were filed in January 1960, Numbers 204 and 207. Initiative 204 was submitted to the Secretary of State on January 8th by the Washington State Employees Association. No signatures were submitted and it did not get on the ballot.

Major components of Initiative 204 were: (1) a five-person Civil Service Commission with "not more than three of which shall be of the same political affiliation" for six-year terms; (2) the Governor appointing a Director of Personnel from the top three candidates following a competitive examination; (3) the Commission adopting rules on classification, pay, competitive examinations, and referral of the top three candidates; (4) most of the employees "shall be continued in their respective positions without further examination"; (5) the Department of Personnel being funded by biennial appropriations; and (6) full appeal rights to the Commission and then to the Superior Court. In most respects, Initiative 204 was more similar to than different from the bills of the 1950's and Initiative 207.

Initiative 207

Since Initiative 207 was a major event in the personnel system in Washington, it deserves some background. As this report has indicated, the concept of merit principles in the civil service was not new to the state by 1960. The federal government had heavily influenced the local and state social service agencies during the Great Depression. A statewide initiative for civil service had gotten on

the 1936 general election ballot. A number of merit or civil service programs were in place in local or municipal governments.

For this report, the Ballot Title for Initiative 207 serves to summarize the measure:

CIVIL SERVICE FOR STATE EMPLOYEES

AN ACT, Entitled "The State Civil Service Law", relating to state government; establishing a civil service system for state employees; defining employees included and excluded; providing that appointments and promotions in the classified civil service shall be based solely on merit and fitness; governing appointment, promotion, transfer, layoff, recruitment, retention, classification and pay plan, removal, discipline and welfare of civil service employees, agreements regarding grievance procedures and collective negotiations, and other incidents of employment; blanketing-in certain employees; prohibiting certain activities; creating a revolving fund; abolishing existing personnel system; and repealing or amending inconsistent laws.

A coalition of "good government" organizations pushed Initiative 207. Beginning in the mid-1950's, the League of Women Voters had begun to study state civil service. The national League had endorsed Initiative 101 in 1936. The League of Women Voters of Washington had published "Reorganization of the Administrative Branch of State Government" in 1954, part of which analyzed personnel and civil service. Newspaper articles from the 1950's pointed out the cost of state staff turnover because of elections. For example, "Efficient Personnel Difficult Problem", "Neglect by Legislature (to pass a civil service bill) is Costly to State Taxpayers", "Efficiency in State Offices Hard Hit by Job Turnover Due to Patronage", and so on.

Unions Push for Approval

But the major push behind Initiative 207 was the larger state employee union, the Washington Federation of State Employees. It had thought the 1955 reorganization bill for civil service was going to pass. After being assured in October 1954 by 200 candidates for the legislature that they favored the proposed 1955 civil service bill, the measure failed in the next session. The Federation, led by Norman Schut, Executive Director, continued to press the issue in the subsequent years. The Washington State Labor Council also provided support for the merit service.

The 1960 *Voter's Pamphlet* listed five reasons why Initiative 207 would "modernize Washington State Government". They were:

1. INSURING EQUAL OPPORTUNITY for all in getting jobs and earning promotions--special privilege for none.
2. SAVING TAXPAYERS MONEY by stopping wholesale political firings after election--political turnover is a hidden tax; millions are wasted.
3. ATTRACTING COMPETENT WORKERS for State employment--the State cannot get its fair share when there is no job tenure.
4. BUILDING RESPONSIBLE POLITICAL PARTIES through placing emphasis on ability of candidates and on the issues--not on promising jobs to armies of party workers; Governor will still appoint top policy makers.
5. RECOGNIZING WORK PERFORMANCE as the basis for keeping or firing employees--it's what you know, not who you know, that counts--and seniority in determining order of layoff due to lack of funds or work curtailment.

Initiative 207 Goes Before the People with Little Opposition

There was no real organized opposition to Initiative 207. However, the Washington State Research Council did publish opposition literature and opponents said the National Civic Service League was opposed. Political leaders were not in a position to oppose the Initiative. Who could afford the public and press scorn of defending the patronage system with its publicized inefficiencies and scandals? The Secretary of State had trouble finding someone (or the legally required three persons) to write the official argument *against* the Initiative. Finally, a Bellevue publisher, as a public service, submitted the following material in opposition to Initiative 207 which appeared in the **Voter's Pamphlet**:

1. NOT ALL CIVIL SERVICE LAWS ARE GOOD CIVIL SERVICE LAWS.
 - A. Why did the National Civil Service League refuse to approve Initiative Measure No. 207?
 - B. Why are substantial groups and departments exempted by Initiative Measure No. 207?
 - C. Why should seniority in a job be the only reason for advancement?
2. Proponents say Initiative Measure No. 207 insures equal opportunity...but for

whom? Initiative Measure 207 immediately insures the jobs of those presently employed...who are the ones who prepared and circulated Initiative Measure No. 207 petitions?

3. What does Civil Service do to the efficiency of a worker if he cannot be removed or even suspended from his position without lengthy, complicated and expensive legal proceedings?
4. You, the voter, dictate the policies of state government...can your will be carried out if elected officials are powerless to choose or direct their own employees?
5. Enactment of Initiative Measure No. 207 would destroy collective bargaining.

Major Provisions Incorporated

Initiative Measure 207 was filed as a 35 section bill or law. The text of the Initiative is in the last section of this report. Its major provisions, however, can be summarized:

1. All state employees were to be covered *except* 13 groups including the Legislative and Judicial branches, academic personnel at the institutions of higher education, State Patrol officers, elected officials, agency directors, Assistant Attorneys General, military personnel, and employees under the State Printer. The Highway Commission and each college and university were directed to appoint parallel personnel organizations similar to the one described by Initiative 207.
2. A statewide job classification and compensation system.
3. Competitive examinations after open recruitment.
4. Appeal rights to offset any possibility of prejudicial, arbitrary, or capricious decision by management, including disciplinary and separation decisions.
5. A three-person, part-time, State Personnel Board to be appointed by the Governor to six-year, staggered terms.
6. Gubernatorial selection of a Director of Personnel after the Personnel Board had run a competitive examination. The Director would be removable only for cause and only by a majority of the Board.

7. Regular salary surveys.
8. A charge against participating agencies to fund the central personnel agency.
9. Abolishment of the then existing State Personnel Board and other merit system and personnel organizations.
10. "Grandfathering" of almost all state employees into their positions.

In radio and television talk shows, Norman Schut of the Federation of State Employees usually presented the position in favor of the Initiative. His opponent was often Neale Chaney, Executive Director of the Washington State Democratic Party Central Committee. A motion to endorse Initiative 207 at the State Democratic Party Convention had been defeated in mid-1960. Meanwhile, the State Republican Party Convention had endorsed a very general resolution favoring the merit principle but had stopped short of endorsing Initiative 207.

In the final weeks of the 1960 general election, most of the major newspapers across the state endorsed Initiative 207. Both candidates for Governor, incumbent Governor Albert Rosellini, Democrat, and Lloyd Andrews, the Republican challenger, endorsed the proposal. Labor organizations and the League of Women Voters continued their promotion activities.

Initiative 207 Passes

After the vote was certified that Initiative 207 had passed with a 134,781 majority (it failed to get a majority in 12 counties), Governor Rosellini signed the measure on December 9, 1960 (C1L61). The new law became effective immediately.

Implementation of the new personnel system took place in late December of 1960 and early in 1961. Every effort was taken to keep the best of the old systems. Three members of the previous State Personnel Board were appointed to the new State Personnel Board. The old State Personnel Board had been increased from three to five members in mid-1960. Mr. Thomas McNulty was appointed as the Acting Director of Personnel. All staff persons, rules, records, and pending cases were transferred from the previous State Personnel Board to the new agency. The most significant impact on the new Board and Department of Personnel was the volume of additional positions covered by civil service. Over 15,000 employees in 45 agencies were to be included. The previous State Personnel Board had served seven agencies.

Summary: 1960

The State Personnel Board/Department of Personnel had jurisdiction over the majority of the non-educational state agencies and positions.

Each four-year institution of higher education had a permanent Personnel Committee made up of members of its governing body. Academic and executive staff were exempted from this system which left staff and support positions to be included in the classified systems.

The State Highway Commission had appointed a Highway Department Personnel Board that governed the Departments' classified positions.

The Legislative branch, with its relatively few permanent employees, remained on a patronage basis.

The Judicial branch had a separate personnel system.

The statewide elected officials (but not their classified employees), the employees under the State Printer, and the ferry system employees and military personnel were covered by separate personnel systems.

THE NEXT THIRTY YEARS

Citizens who served on the State Personnel Board during the thirty years covered by this section deserve special note. Appointed by the Governor, they devoted time and then more time. Until 1981, appeals were a major role for the Personnel Board. Many appeals were in the geographic location of the individuals involved so travel was required. Interpreting "legislative intent" on personnel matters was not easy. The Board members were constantly trying to be fair to both the employee and to management. The following chart recognizes the Governors, the members of the State Personnel Board, and the Directors of Personnel.

THE STATE PERSONNEL BOARD					
YEAR	GOVERNOR	MEMBER	MEMBER	MEMBER	DIRECTOR
1960	Albert Rosellini Init. 207				William Webster
1961		Paul Coughlin	Chester Ramage	John Conlin	M.T. McNulty (Acting) P.V. Robe
1962					
1963		Max Nicolai			
1964					
1965	Daniel J. Evans	Stanbery Foster		R.H. Putman	
1966					

THE STATE PERSONNEL BOARD

<i>YEAR</i>	<i>GOVERNOR</i>	<i>MEMBER</i>	<i>MEMBER</i>	<i>MEMBER</i>	<i>DIRECTOR</i>
1967	Evans	Foster	Ramage	Putman	Robe R.H. Boysen (Acting)
1968			L.W. Hashman		L. Nord
1969		R.R. Kathfelder			
1970					
1971		George Holifield			
				Jack Mullin	
1972			Sam Kinville		
1972					

THE STATE PERSONNEL BOARD					
YEAR	GOVERNOR	MEMBER	MEMBER	MEMBER	DIRECTOR
1973	Evans	Kinville	Holifield	Mullin Edith Kogenhop	Nord
1974			David Stipek		
1975		Fred Huleen			
1976					
1977	Dixy Lee Ray		Taul Watanabe		
1978					
1979				Margaret Wehnert	
1980			Carl Westine		

THE STATE PERSONNEL BOARD					
YEAR	GOVERNOR	MEMBER	MEMBER	MEMBER	DIRECTOR
1981	John Spellman	Hurleen	Westine	Wehnert Ludwig Lobe	Nord
1982		Della Newman			
1983					
1984					
1985	Booth Gardner	Evelyn Whitney			
1986			Charles Alexander	Richard Kelley	
1987					
1988			Tom Burns		R.H. Boysen (Acting)

SIGNIFICANT EVENTS

1960-1964

In April of 1961, Mr. Pennel V. Robe was selected as the first permanent Director of the Department of Personnel. Mr. M. Thomas McNulty had served as Acting Director during the selection of the permanent director.

As late as mid-1961, the State Personnel Board minutes had a routine report on the number of non-U.S. citizens that had been appointed to classified positions. These persons could apply, be examined, and be appointed, but they could be bumped by an equally qualified citizen whenever the latter could be found.

In 1962, a national publication, the Municipal Manpower Commission Report, recommended abandonment of the independent U.S. Civil Service Commission. The report stopped short, however, of suggesting a wholesale return to the political spoils system.

Also in 1962, as required by Initiative 207, the report "The Feasibility of Integrating the Personnel Systems of the Department of Highways and Officers of the State Patrol with the State Department of Personnel" was completed. All three directors concluded that the systems should not be integrated. (The Highway personnel system was merged with the state personnel system in 1969.)

A major assignment for the new Personnel Board was to classify all of the positions. Each position had to be described and placed into a category with similar jobs. A personnel consultant firm, Donaho and Associates of Baltimore, was hired in 1962 to create this initial classification system. It was completed and adopted by the Board in 1963.

In 1963, the State Personnel Department began to offer contract personnel services to local governments in Washington. On a cost reimbursable basis, employees of the Department of Personnel would perform salary surveys, classification studies, and other services. To go ahead in time on this service to local governments, a Local Government Merit Program was adopted by the State Personnel Board in 1970. It included a separate set of civil service rules for local health and civil defense departments. Federal assistance for these departments required association with a qualified civil service system. The Local Government Merit Program and the State Personnel Board's involvement ended in 1980 when the federal personnel requirements for municipal governments changed. Contract assistance by the Department of Personnel continued, but with a diminished number of contracts.

The 1964 general election brought about discussion of the new Governor being able to replace the members of the State Personnel Board since they were exempt from civil service. The prevailing informal legal opinion was in the negative. The six-year term in the enabling law for the merit system was viewed as the dominant law.

1965-1969

In October 1965 the gubernatorially appointed Council for Reorganization of Washington State Government published its final report. One section dealt with the Department of Personnel. The Council recommended that the law be modified to "Permit the Governor to appoint the Director of Personnel and make the State Personnel Board an advisory function". In addition to other recommendations, the Council for Reorganization suggested that "the appointing agency should be permitted to consider the top 50% of the register or a minimum of five candidates..."

A major study by the State Personnel Board in 1965 was to determine the value, in the sense of compensation, of furnished housing and other perquisites allowed for certain state employees in outlying or isolated facilities.

Idaho's legislature enacted a state employee civil service personnel system in 1965. This replaced the Merit System Council that governed the grant-in-aid agencies. About 40 percent of the state employees had been under the Council. The new act applied to about 70 percent of the state employees.

Personnel Board Considers Several Salary Measures

In 1966, the State Personnel Board considered a repeated question, "What about merit pay?". After much study and testimony, the proposal to make the last step in each pay range dependent on superior performance was voted down by two votes to one. In another major issue of 1966, the Board began a study of personnel practices at the various institutions of higher education. This was one of the precursor events that led to the 1969 creation of the Higher Education Personnel Board.

Lastly, for 1966, the State Personnel Board adopted a rare resolution. It dealt with the constant barrage of requests for "adjustments" to the salary plan. Each request was probably warranted on its own merits, but then all other classes could also claim they were behind the prevailing wage as

determined by the latest salary survey. This was the Personnel Board's position:

PERSONNEL BOARD RESOLUTION

Adopted July 29, 1966

WHEREAS the Personnel staff is presently conducting the biennial salary survey, required by law, for the purpose of recommending a revised salary schedule to the 1967 legislature and cannot survey all proposed amendments to the current compensation plan; and

WHEREAS present state salary levels are based upon the 1964 biennial survey and the 1965 legislative appropriation; and current amendments adversely affect the balance in that compensation plan; and

WHEREAS adoption of isolated or individual amendments to the present state salary schedule is not in the best interest of state fiscal and personnel administration; therefore

BE IT RESOLVED that the policy of the Personnel Board will hereafter be to consider only those proposed amendments relating to:

- (1) Employee or agency appeals which are timely filed (within 30 days of July 30, 1966) and not previously heard by the Board and alleging error in the present state compensation plan;
- (2) Establishment of new positions in the service or significant duties, responsibilities or organization changes in existing positions;
- (3) Emergency considerations as presented.

Personnel Policy Decisions Made in 1967

There were four major personnel policy events in 1967. They were, in no particular order:

With the encouragement of Governor Evans, the Personnel Board and Department set an example by starting special employment programs for the disadvantaged. This exemplified two trends: The state personnel system must often serve as a model employer before the Governor, as a political leader, can ask private employers to pursue social objectives; and, secondly, certain social goals may override the merit principle that only the very highest scoring of candidates should be considered.

The State Personnel Board approached the perennial question of whether supervisors should be in a labor relations bargaining unit. Initiative 207 and Chapter 41.06 RCW were silent on this issue. The Personnel Board decided in 1967 that supervisors could not be in a bargaining unit. A subsequent legal challenge to this position had the State Supreme Court decide in 1977 that since the original law was silent, the State Personnel Board had no jurisdiction or authority to exclude supervisors from bargaining units.

The Board also decided that employees without college degrees should be paid the same as those who do if the work is the same.

In a veto message for part of Chapter 108, Laws of 1967 ex.s., Governor Evans declared that " the (State) Personnel Board retain responsibility for collective bargaining by State employees and that the Department of Labor and Industries retain responsibility for dealing with collective bargaining by other public employees." The Public Employment Relations Commission was created in 1975 to carry out the labor relations duties of the Department of Labor and Industries (C296L75 ex.s.).

The Washington League of Women Voters decided in 1967 that "civil service was installed and well" and that they would disband their committee. Also at this time, the Personnel Officers Association had an equal voice before the State Personnel Board and had its own officers and letterhead and took positions on personnel policy.

Second Personnel Director Named

Mr. P.V. Robe resigned as Director of Personnel in January 1967 and Mr. Robert H. Boysen of the Department of Personnel was appointed as Acting Director. Mr. Leonard Nord was chosen as the second permanent Director in June of 1967. In 1968, the Board established or reaffirmed the principle that all new employees should start at the first step of their pay range. That way, a new employee would reach the middle of the range in two and one-half years. In theory, the biennial salary survey for each position established the dollar amount for this middle step. Thus, all new employees would be paid less than the state "average wage" for the job and experienced employees would be paid more.

Higher Education Personnel Board Created

The Legislature passed two significant personnel acts in 1969. The Highway Department Personnel System and its employees were placed under the State Personnel Board (C45L69). Secondly, the Higher Education Personnel Board (HEPB) was created (C36L69). The HEPB was given jurisdiction over a decentralized personnel system of higher education institutions and related boards. Each institution retained a degree of autonomy in the application of laws and rules governing personnel-related matters. However, the Higher Education Personnel Board's rules guided the personnel programs carried out on each campus. The Board's staff was to assist personnel officers and employees in the implementation of rules, monitor rule compliance, maintain a system-wide classification and compensation plan, mediate in labor relations, and adjudicate appeals from employees.

The citizen members of the Higher Education Personnel Board deserve special recognition. Their hours and days of time were significant.

(Text Continued on Page 33)

THE HIGHER EDUCATION PERSONNEL BOARD

<i>YEAR</i>	<i>GOVERNOR</i>	<i>MEMBER</i>	<i>MEMBER</i>	<i>MEMBER</i>	<i>DIRECTOR</i>
1969	Daniel Evans	Frank Cleary	Glen Norman	E. Robert Fristoe	Douglas Sayan
1970					
1971				John Bert Troup	
1972					
1973			Evelyn J. Whitney		
1974					
1975		Mendal B. Miller			
1976					
1977	Dixy Lee Ray			Loren Calvin Davidson	
1978					
1979					
1980					
1981	John Spellman	R. R. Rathfelder			

THE HIGHER EDUCATION PERSONNEL BOARD					
YEAR	GOVERNOR	MEMBER	MEMBER	MEMBER	DIRECTOR
1982	Spellman				Dennis Carlson (Acting)
1983				Jane McCormach	John Spitz
1984					
1985	Booth Gardner		Patricia Stell	Virginia Apodaca	
1986				Ruben Nieto	
1987		R. Clint Richardson		Grace Chien	
1988					

Also in 1969, Mr. Robert H. Putman, then Chairman of the State Personnel Board, made the following remarks to the Council of Washington State Personnel Officers:

Thoughts on Civil Service:

The merit system, since the law was passed has been working soundly. My initial impression of the quality of the state employees was very favorable. I had expected it to be worse than I found it to be. Civil Service is working, especially from the standpoint of getting away from political patronage system. Those problems have been solved.

We have greatly improved professionalism. We are getting the job done more efficiently.

But the merit system has some bad points. Some of these we need to continue working on. One that concerns me is providing more service to the tax payer. I would like to see the emphasis change to a more positive frame of reference to service to the tax payer. The employee is protected, that part is working well.

We have to broaden our horizon and look to the future. One particular beef is no provision for merit pay. I don't see how we can proceed without considering merit. Unions typically call for this with a single rate approach. They have sound reasons for a single rate. We need an appraisal system that is uniform. Our performance appraisal system is lousy if it exists at all.

1970-1974

The Division of Insurance Benefits was created at the Department of Personnel in 1970. This staff served the newly created State Employee Insurance Board. The Director of Personnel served as Trustee to the Insurance Board, an employee-based unit organized to administer the growing area of employee insurance benefits. Also in 1970, the citizen-based State Committee on Salaries was created to help determine the salaries of the elected and appointed state executives who were exempt from civil service (C43L70 ex.s.). It replaced the Governor's Advisory Committee on Salaries that functioned from 1955 to 1970. The new Committee on Salaries had the same duties as the previous Advisory Committee. The Department of Personnel continued doing the research to assist the new Committee.

Finally, in 1970, the Department of Personnel used the Intergovernmental Personnel Act (PL 91-648) to train personnel officers and the Board arbitrated a labor impasse between the Department of Game and the Washington Public Employees Association.

A statewide budget crunch in 1971 saw widespread use of the personnel system reduction-in-force rules. Ironically, the Department of Personnel had to cut its own staff just as the personnel transactions increased in volume. Also in 1971, Governor Evans issued Executive Order 71-04 to clarify his position on labor relations. He stressed the need for a partnership with employee organizations and to avoid "adversary situations".

Employee Advisory Service Begins Operation

The Employee Advisory Service in the Department of Personnel was started in 1972 through an alcoholism grant from the Department of Social and Health Services. The Service was intended to be a confidential and voluntary service for state employees who were having trouble at work. Supervisors could recommend a visit to an Employee Advisory Service office as a way to help their employees. Like other employers, the state felt it was more efficient and humane to help an experienced employee than to simply fire the employee and start training a new one. By 1988, the Employee Advisory Service had offices in Seattle, Spokane, and Olympia.

A number of special employment programs were started about 1973 for "targeted" populations. These groups traditionally had trouble getting or holding jobs. The Department of Personnel administered parts of the federal Emergency Employment Act, Public Service Careers Act, and the Comprehensive Employment and Training Act. Again, the state served as a very public "model" employer.

More Positions Can be Exempted

Another significant event in 1973 was the expanded ability of the State Personnel Board to exempt certain positions from the merit service laws and rules. The 1960 Initiative creating the merit service had exempted very few positions in the Executive agencies. Under the 1973 law, 175 upper-management jobs could be exempted upon the request of the Governor. This provision allowed management some flexibility in key positions. Part of Chapter 133, Laws of 1973 1st Ex., expressed the management criteria for granting these exemptions from merit service:

If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final.

Comparable Worth Concept First Studied

In 1974, Governor Evans, at the request of the Washington Federation of State Employees, ordered a salary study by the Department of Personnel into alleged lower wages in careers or job classes that were predominantly filled by female employees. Willis and Associates were contracted to do the study, the results of which were cited nine years later in the "comparable worth" court case.

Finally, for 1974, the Higher Education Personnel Board adopted rules for a classification system. The Board had worked since its creation in 1969 to combine the job classes that existed at the universities and colleges.

1975-1979

Another approach to hiring flexibility was started in 1975. The State Personnel Board changed the Washington Administrative Code or "Merit System Rules" to place certain higher managerial positions into the "noncompetitive service". This allowed hiring from an entire, unranked register. In other words, everyone who passed the examination was eligible. There was no ranking nor was the register limited to the top three candidates. After about two years, this rule was withdrawn under the threat of a lawsuit. The controversy centered on the claim that the increased number of classes and positions placed in the noncompetitive service violated the basic competitive examination principle of the 1960 merit service act.

Strike Contingency Plans Prepared

In reaction to a threatened strike over employee salaries by the major employee association, Governor Evans had agency directors prepare strike contingency plans during early 1975. Twenty-two agencies were considered as critical to state operations. Among these agencies, the directors estimated that 21,631 out of the 29,678 employees would be expected to strike. Management and supervisory personnel, as defined by Merit System Rules, would have been required to work. The Governor's policy would have been to continue critical services during a work stoppage. There was no strike in 1975. However, one employee association called a one-day strike in 1977 over the perennial salary issue.

Also in 1975, the Employee Suggestion Program was placed in the Department of Personnel, an audit unit was started to check on personnel transactions done by the operating agencies, and the Central Personnel Payroll program was started.

Affirmative Action Procedure Questioned

In February of 1976, Governor Evans and Personnel Director Nord met in Washington D.C. with the Chairman of the United States Civil Service Commission. They discussed the Commission's opposition to the state's three additional names to certified registers as a way to achieve Affirmative Action goals for protected or minority applicants. The Commission later approved the procedure. This issue revolved around the merit principle of hiring the best qualified people after an examination to work with federal funds.

In 1976, a consultant firm did the traditional biennial salary survey rather than staff from the Department of Personnel and other agencies.

Mid-70's Management Review Completed

By mid-1976, the staff of the Legislative Budget Committee completed a management review of the personnel laws and operations. The recommendations included referring entire registers rather than just the top three and the start of merit pay. Perhaps as a response to the merit pay proposal, the 1978 Legislature required the Department of Personnel to study the system of performance evaluation procedures and pay (C152L77 ex.s.). Washington State University assisted in this study. A standardized performance evaluation procedure and form was adopted.

A major change to the Washington Public Employees Retirement System that covered state employees was passed in 1977 (C295L77 1st. ex. s.). The new law reduced the liability of the state for future employees.

Congress reorganized the federal personnel/civil service system in 1978 (PL 95-454). The U.S. Civil Service Commission became the Merit Protection Board, an independent watchdog unit, while the Office of Personnel Management became a human resource agency reporting to the President.

The hiring of summer interns was coordinated by the Department of Personnel during 1977 and 1978. In 1978, the State Employees Insurance Board did a study on "self-insurance" as an alternative to bid contract services for health insurance. This year also saw the Governor's Advisory Council on State Government Productivity recommend merit pay. Arthur Young, Inc. did a study on merit pay methodology with the Department of Natural Resources serving as a pilot agency.

Personnel Starts Sunset Review

The Staff Utilization Review was started in 1978 to review positions in all agencies, except those under elected officials, that had been vacated by retirement. This "Sunset" review was a joint program by the Department of Personnel and the Office of Financial Management. The review

included checks to see that the vacant position was properly classified and if it could be eliminated. This program was to improve productivity and combated a trend to inflate senior employees' retirement allowances by creating special late-career positions.

Indexing Required for Biennial Salary Survey

The 1978 legislative session required the biennial salary survey to index the classified positions to benchmark positions prior to the survey and to use a weighted step average rather than the mid-point for salary comparison to similar jobs in the private sector. The Legislature also ordered the State Personnel Board and the Higher Education Personnel Board to conduct joint salary surveys (C152L77 ex.s.). The Legislature had sponsored a seminar on civil service during October 1978. The National Conference of State Legislatures had helped to organize the day-long meeting of legislative leaders and national experts.

The State Supreme Court ruled in 1979 that a community college could not "contract out" janitorial services that were traditionally done by state merit system employees. An Agency Assistance Unit was started in 1979 at the Department of Personnel to help small state agencies that could not justify a full-time qualified personnel officer. Lastly, for 1979, the legislature created sick leave remuneration as an attendance incentive program (C150L79 1st ex.s.).

1980-1984

The Career Executive Program, a mid-management recruitment and development program, was created in 1980 (C118L80). This program allowed the Personnel Board to approve nominated positions for special examination, appointment, salary administration, and separation procedures. A participation limit of one percent of the positions under the State Personnel Board was imposed.

In 1981, the Personnel Appeals Board was created (C311L81). This separate agency took much of the workload of the citizen members of the State Personnel Board.

Proposed merit system rules for merit pay for employees in the Career Executive Program were withdrawn in 1981 in the face of overall budget balancing wage cuts.

Also in 1981, the Legislature placed the employees of the state ferry system under the State Transportation Commission (C344L81). The ferry employees had retained their strong union affiliation, including collective bargaining for wages, since the ferry system was purchased from the Black Ball Ferry System in 1949. The State Personnel Board was given the authority to adopt classification and compensation plans covering the positions in the ferry system. The Transportation Commission was to use the plans. The participation by the State Personnel Board was withdrawn in 1982.

1982 Legislature Active on Many Personnel Issues

Perhaps the most significant review of the original state merit service laws was accomplished by the 1982 legislature (C53L82E1). The rule of three was expanded to referral of the top five candidates on a register. A merit pay provision was enacted, but with a 1984 effective date. The unlimited-in-time right of classified employees to revert from an exempt position to their former classified position was limited to a maximum of eight years. Lastly, probationary periods could be expanded from six to up to twelve months.

Comparable Worth Major Push of 80's

The 1983 Legislature passed a law directing comparable worth to be fully implemented by June 30, 1993 (C75L831Ex). Many job classes and salaries had to be reviewed and, if necessary, adjusted. The Department of Personnel and the Higher Education Personnel Board worked together throughout the comparable worth issue. Comparable worth addressed the observation that job classes traditionally held by female employees were paid less than those held mostly by men. Comparable was defined in terms of knowledge and skills, accountability, mental demands, and working conditions. Opponents to comparable worth argued that the marketplace or prevailing wages should determine the salary for each job class. In 1983, the federal district court ruled that the state had violated Title III of the federal Civil Rights Act by not implementing comparable worth law earlier. This ruling was reversed by a federal appeals court in 1985, and in 1986, the state entered into a settlement agreement setting forth the plan for comparable worth implementation by 1993.

The 1982 legislative session again addressed the state employees in the state ferry system. Under threat of a large-scale strike in the maritime industry, the 1982 Legislature had put the ferry employees under the State Personnel Board and then in 1983 placed them under the newly created Marine Employees' Commission with three members and five-year terms (C15L83). This was a separate personnel system and collective bargaining for wages was permitted.

During 1984, the merit pay provisions of the 1982 changes to the civil service law were voided by a lack of positive endorsement from the Legislature. The same year, authority and funding to start a child day care program for state employees was given (C162L84).

Governor Combines Charity Fund Raising

The Combined Fund Drive was assigned to the Department of Personnel in 1984 by Executive Order 84-15. Governor Spellman wanted to reduce the inefficiency of constant charity solicitations by having an annual open but organized campaign at the state offices.

1985-1988

In 1985, the personnel systems were again impacted by a judicial decision. The United States Supreme Court decided in the *Loudermill* case that public employees must have a hearing before they can be dismissed. All of the personnel laws, rules, and procedures were reviewed for compliance with this landmark ruling. Also in 1985, state employees gained permission for voluntary payroll deductions for political action committees (PAC's) (C271L85) and affirmative action rules were ordered for the State Patrol and the two major personnel boards (C365L85).

A "Full Service Testing Center" was started by the Department of Personnel in 1986. It provided one-stop, same-day application and testing services for selected state jobs. The Center was closed the next year due to budget restrictions. Also in 1986, the Career Executive Program received funds for university-level Core Development classes for its mid-manager participants.

The Washington Citizens' Commission on Salaries for Elected Officials was created in 1986 by Constitutional Amendment (C155L86). The Commission was authorized to set the salaries for the elected state officials. The existing Committee on Salaries was renamed the State Committee on Agency Officials' Salaries.

Wellness Comes Under Personnel Umbrella

The Wellness Program was started in the Department of Personnel in 1987 (C248L87). It was funded to increase productivity through healthy employees, lessen use of sick leave and to, perhaps, lower the health insurance group rates. House Bill 1211 in the 1987 session would have created a Human Resources Board to govern a merged State Personnel Board and Higher Education Personnel Board.

The Washington State Commission for Efficiency and Accountability in Government had started a review of the Department of Personnel by late 1988 (C480L87). Also in 1988, Leonard Nord announced his retirement after 21 years as the Director of Personnel and 35 years of state employment. Mr. R. H. Boysen was, once again, asked to serve as Acting Director during the search for the permanent director.

Summary: 1960 to 1988

A summary of the personnel systems in 1988 would be similar to the description for 1960. The basic principles of the merit system remained in place for most of the employees--open recruitment, examination, ranked registers, dismissal based on job-related performance, and the right to appeal. The Personnel Appeals Board served as the appellate unit for the State Personnel Board. Higher Education remained a separate and somewhat more decentralized civil service system than that under the State Personnel Board. The Highway personnel system had been merged with the state personnel system.

By late 1988, 1,600 positions had been exempted from the jurisdiction of the State Personnel Board. About 41,500 positions were in the classified service under the State Personnel Board. The Higher Education Personnel Board had approximately 16,500 classified positions and 18,000 exempted positions.

The two major employee associations had added to their membership and staffs and were active in the political arena. The biennial salary surveys continued with the chronic revelation that state employees averaged between ten and twenty-five percent behind the private sector. There had been two very brief and partial strikes by state employees during this 30-year period.

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While the acknowledgements are many, the Department of Personnel and **Frank Anderson**, the principle writer, accept the sins of commission and omission. A brief history project turned into an exciting and emotional project. The subject of public service personnel systems is dynamic. This history reflects the ebb and flow of merit principles and patronage. The year 1988 is merely the latest available information and thus the end of this report. The personnel system and policy for the State of Washington will continue to evolve.

Major sources of bibliographic and other material.

The collections of Chapter Laws in the Office of the Code Reviser and in the Office of the Superintendent of Public Instruction were helpful. The major legislative acts are cited in this report as chapter law. For example, Initiative 207 is cited as (CIL61) or Chapter 1, Laws of 1961.

The collection of legislative bills by session in the Office of the Code Reviser was helpful in tracing when debate on an idea or "reform" was started. Not all bills about personnel systems were reported. Over the years, almost every kind of change has been proposed at least once. They were too numerous to mention.

The Washington Room in the State Library is an excellent source of general state history. Its newspaper clippings start in the 1960's and usually cover major events in state government.

There is a complete set of State Personnel Board minutes in the office of the Director of Personnel. They begin on April 5, 1941, for the original State Personnel Board and continue to the end of 1988. Transcripts of the Board meetings since June 1960 are also available.

The Washington State Archives maintains an excellent collection of Governor's Papers. These files are a rich source for all types of governmental research.

Each employee association maintains an historical file of their accomplishments.

The Higher Education Personnel Board was developing a history of that organization during 1988.

Each Initiative to the People and Initiative to the Legislature has a file in the Office of the Secretary of State. Files for the older initiatives are stored by Archives.

Opinions, letters, contracts, and other legal materials about personnel and state agencies are maintained by the Attorney General.

Agency histories are maintained by some agencies. These sources vary widely as to comprehensiveness and style. One of the better histories is a series of 1988 monographs commissioned by the Department of Social and Health Services. A collection of annual and biennial reports may constitute the best documentation for other agencies.