

May 21 Hearing: The Administration's War on a Merit-Based Civil Service
QFR for AFGE National President J.David Cox
Questions from Chairman Gerald E. Connolly

1. What have your members shared with you about OPM's reorganization? What concerns have they raised?

Answer: The members of AFGE Local 32 at OPM expect mass contracting out of their jobs if OPM is abolished and most of its work is transferred to GSA. They are able to read between the lines of Acting Director Weichert's various statements. She has raised her experience at Bank of America when Merrill Lynch was acquired after the financial crisis, saying that once the BoA staff learned what the Merrill Lynch employees did, they absorbed those tasks and took them on. The Merrill Lynch legacy staff was mostly let go. She has also spoken at length about "reskilling" the legacy OPM workforce and has told them that people who "want to work" and be "reskilled" will have a job somewhere in government, not necessarily their current/former job, but "some kind of job." This all indicates to them that their future is not secure.

2. How has OPM engaged with you and your members about potential changes from the reorganization?

Answer: At first, Acting Director Weichert wanted all conversations on this subject to stay completely confidential. She did not want her spoken words repeated and refused to put anything in writing. Communication with her has been two telephone calls (one with me and one with staff) and one face-to-face meeting. Likewise, when Acting Director has spoken to the members of Local 32 she eschews written communication. She has spoken at two large meetings of OPM staff.

3. Has OPM indicated any effects of the reorganization such as reductions in force or layoffs?

Answer: Acting Director Weichert has said that there are no immediate layoffs planned. Please see #1 above. She also speaks of a future after the merger where OPM employees will be given an opportunity to become “reskilled.”

4. What do merit-system principles in the civil service mean to you and your members?

Answer: Merit system principles are the foundation of federal employees’ job security. The merit system is supposed to guarantee protection against political interference in hiring, pay, discipline, termination, career development, assignments, job classification, and union rights. Obtaining and keeping a federal job is, when the merit principles are at work, solely a function of the employee’s job-related skills, performance, and conduct. Nothing outside that is supposed to matter – political affiliation under the merit system is entirely irrelevant to any of the conditions of employment. Once those principles are relaxed – when discretion, flexibility, “trust us,” etc. replace the merit system, you invite the possibility of corruption and politicization.

5. Are you concerned that the administration’s reorganization efforts could negatively affect a merit-based civil service? Can you provide specific examples of concerns about how the administration’s plan could affect merit in the civil service?

Answer: As my written statement affirms, AFGE members employed throughout the executive branch are extremely concerned that the abolition of OPM will help this administration’s efforts to undermine the merit-based civil service. OPM is the agency charged with upholding merit-based hiring, classification, examination, and pay policy. It oversees the government’s “chief human capital officers” and provides guidance to them on agency HR matters. It writes regulations affecting hiring, pay, health insurance, retirement benefits and benefit eligibility, and operates the federal government’s job announcement website, USAJobs. If any of OPM’s current authorities are abused, the apolitical civil service will be harmed.

OPM currently has an Office of Merit Systems Principles whose job is to uphold merit based concepts in all aspects of federal employment, including hiring, promotion, and classification. If this Office is moved to GSA, its status and its future will be uncertain. This Office enforces the merit system principles; if it goes to GSA, it is unclear what body, if any, will enforce adherence to the principles.

It is hard to give specific examples of something that hasn't yet occurred. But as far as concerns, we envision the possibility that job classification authorities could be used to downgrade or upgrade particular positions to favor or disfavor applicants, harming the merit system and the mission of the agency. Hiring and examination protocols could be weakened to allow greater manipulation of qualifications on individual positions, harming the merit system and the mission of the agency. These kinds of manipulations could affect not only hiring, but pay, benefit eligibility, job tenure, the quality of agency management, and agencies' ability to carry out their missions.