

Scott Walker Signs Civil Service Overhaul



By Jason Stein and Patrick Marley of the Journal Sentinel, Feb. 12, 2016

Appleton— Gov. Scott Walker signed legislation Friday overhauling the state's century-old system of merit hiring and firing, gaining the first legislative priority he set after calling off his presidential bid last year.

Inking the legislation at the offices of ManpowerGroup, Walker said the rewrite of the state's civil service law would help the state keep the best possible employees and ensure that the state remains "efficient, effective and ultimately accountable to the people of Wisconsin."

"This is really about bringing Wisconsin into the 21st century when it comes to recruitment and retention," the Republican governor said.

Walker said the state needed to learn from the private sector hiring practices of companies like Manpower, a global human resources giant, and update its policies for hiring, overseeing and firing the 30,000 state workers affected by the changes.

Walker said the state is keeping its principles of hiring according to merit rather than politics, but is

updating a system that had become too slow and inefficient.

Critics say it could lead to taxpayers being forced to pay salaries to the unqualified cronies of powerful state officials or lead to retribution against state employees who put public service ahead of political demands.

Rick Badger, executive director of the American Federation of State, County and Municipal Employees Council 32, said the bill gave too much latitude to Walker and future governors.

"AFSCME certainly does not oppose improvements to state employment practices that help make the system work better in a changing world. But there is one thing that has not changed, one thing that never changes — that is the desire of those who hold power to reward their friends and punish their enemies," Badger said.

But Walker and one of the lead sponsors of the bill, Assembly Majority Leader Jim Steineke (R-Kaukauna), said the state will retain the essential

protections within the law against favoritism.

“Cronyism was illegal before the bill was signed and it’ll be illegal after,” he said.

Senate Republicans passed Assembly Bill 373 on Jan. 20 on a party-line vote of 19-14, sending the bill to Walker after the proposal passed the Assembly in October.

The bill would eliminate the state’s civil service exams; stop allowing longtime employees to avoid termination by “bumping” other workers with less seniority out of their jobs; and shorten by more than half the process for employees to appeal their dismissal or discipline.

Walker has said it can take months for state workers to be hired. His administration has not yet fulfilled a request from the Milwaukee Journal Sentinel last month for documentation on how long it is taking on average, but documents obtained by the newspaper showed that for some agencies it can take that long.

In the Department of Corrections, filling an appointment took an average of 3.4 months, according to a memo sent to Walker’s office in September.

In the Department of Safety and Professional Services, it usually took longer, with the average hiring time rising at times to five months, depending on the time of year, according to a report from that agency. The governor’s office gathered this information from various agencies before Walker came out in favor of civil service changes in September.

Walker has also pointed to cases in which he said civil service workers deserved to be fired for improprieties but his administration was unable to do so. Not all of those examples have checked out, and the governor did not highlight those Friday.

In December, the newspaper reported that one example given by Walker to illustrate problems with the civil service system involved an at-will employee who didn’t have those protections.

In that case, two employees at the state railroad commission were given reprimands — and no other discipline — for having sex at work and trading explicit messages on their state email accounts. There

is no record that anyone considered firing either of them.

The next month, state Railroad Commissioner Jeff Plale resigned and Walker appointed Yash Wadhwa to replace him.

The first worker involved in the affair eventually had her position eliminated through budget cuts and left state service. The second worker, attorney Doug Wood, retired on Feb. 1, Wadhwa said.

The civil service bill stalled for a time because Sen. Steve Nass (R-Whitewater) opposed a provision in it that would end the state’s practice of asking some job applicants upfront to check a box showing whether they have been convicted of certain crimes. He relented earlier this month because Steineke and other Assembly lawmakers had told him the bill would die if the Senate made changes to it.

Jason Stein covers the state Capitol and is the author with his colleague Patrick Marley of “More than They Bargained For: Scott Walker, Unions and the Fight for Wisconsin.” His work has been recognized by journalism groups such as the American Society of News Editors, the Society of American Business Editors and Writers, and the Association of Capitol Reporters and Editors.

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