

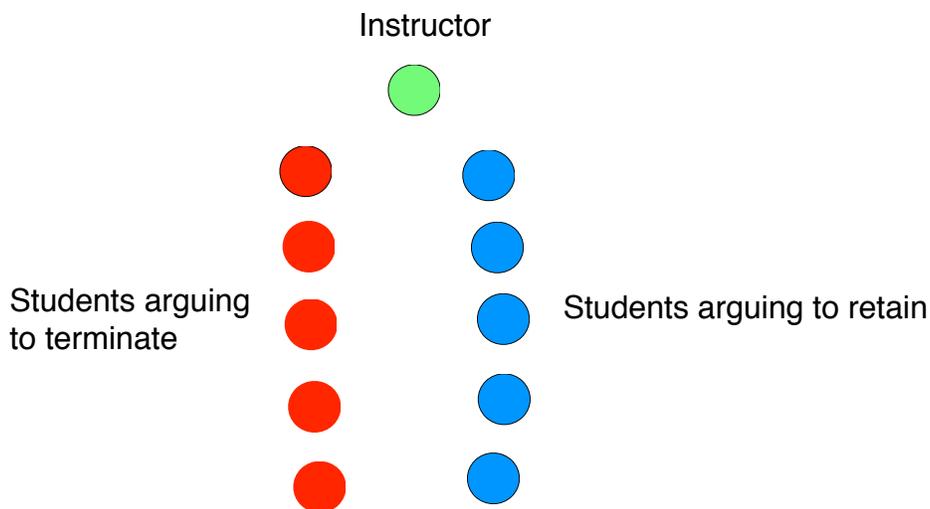
Kevin Carter
kevinscottcarter@icloud.com
139-6905-9935
WeChat ID: kscarter

This was an activity I used with two of my Public Administration classes. First, I explained the difference between 'at-will' and 'merit' employees in the traditional governmental context. Then I devised four Human Resource scenarios (these are things that I actually dealt with as a manager for the State of Utah).

I divided the class into four groups of about ten people. I assigned one scenario to each group. Half of the group were assigned to argue that we should retain the employee, the other half argued that we should terminate the employee. After some time to marshal their arguments, I sat a team in two rows - facing each other, and I sat at the head between the two rows (I represented the boss that would be making the final decision). They then presented their positions on 'keep' or 'fire'.

I allowed the students that wanted to fire to go first, then the students that wanted to retain. Then I let each side respond to the arguments made by the opposing side.

The students loved this activity. On a few occasions I was afraid that it would be necessary to intervene to prevent violence!



Public Employment

In America, most public agencies have two types of employees: 1) 'at will'; and 2) 'merit, or civil service'.

At-will Employees

At-will employees are appointed to their job. Most 'at-will' jobs pay very well. Frequently, they are upper-level management positions. In many instances, they work closely with elected officials - sometimes even as personal staff to elected officials. Occasionally, they are appointed to a position because they have influential family members or friends. They can be terminated at any time, for any reason. If they are working for an elected official they usually are replaced when the elected official leaves office. If they are terminated they usually have very few options for appeal.

Merit Employees

Merit employees must compete for their jobs. Once they are hired they cannot be terminated easily, and never for political purposes. Most jobs in government are filled by merit employees. Usually they are well-educated and have good skills. Most teachers in America are merit employees. Before you can terminate a merit employee, you must give them an opportunity to improve their performance or correct deficiencies in their work. If after several attempts, over many months, to get them to improve their performance they still are doing unacceptable work, they can be terminated. However, once they are terminated they can ask an independent source to review the situation and determine if their termination was justified. They often prevail during these independent reviews. Most agencies do not like to attempt to terminate merit employees because it is always complicated and the agencies frequently will fail. In some instances they may be sued by the employee and lose substantial sums of money.

John, the Forester

John is an employee of a state agency. He has worked for the agency for 15 years. He is well liked, and has never had any problems. He has supervised many private companies that the agency hires to cut trees on the state-owned land. This job is very important and John has valuable skills. It takes a person many years to become good at this job. It would be difficult to replace John with someone else. John's uncle is a very powerful politician. He was involved in getting John this job with the agency.

One day, John was on an assignment in eastern Utah, supervising a company that was harvesting timber on State-owned land. After a hard-day's work, John decided to go to the city. He took the truck that the agency had assigned him to use, and drove many miles into another state. While there, he went to a bar and got drunk. He left the bar, got into his truck and after a short drive he hit another vehicle. The collision caused extensive damage to both vehicles, but luckily, no one was seriously hurt.

Betty, the Secretary

Betty has worked for the agency for many years. She is a merit employee. She is usually very efficient, but has a difficult personality. If Betty works for you she is pleasant, but if you are not above her in the agency she can be rude. She has many tasks, including the duty to oversee an account that is used to purchase office supplies. One day, it was discovered that several hundred dollars were missing in the account of money. Very few people have access to the account. Betty denies that she took any of the money, but it is very suspicious. There are many employees in the agency that could take over Betty's job - and most would do her job very well and probably more pleasantly.

Jim, the Manager

Jim has worked for the agency for five years. He was hired because he had great contacts in the construction industry and the agency wanted to get involved in construction activities. Jim is very friendly, and all of the guys at the office like him. However, some of the female employees feel that he is 'too' friendly. He often will put his hand on the shoulder of a female employee while she is sitting at her desk. He will often call female employees 'honey', 'babe' or 'good looking'. He also will tell female employees that he likes the way they are dressed. Many of the female employees are uncomfortable around Jim, but they are afraid to say anything because he is in management, and he has many friends in the company. Finally, one of the female employees in the company filed a complaint claiming that Jim was harassing her and creating an uncomfortable work environment.

Jane, the IT Manager

Jane has worked for the agency for many years. She was instrumental in getting the agency to start using computers. She directed the team that wrote the software that manages the agency's assets. She knows all the history about the agency's computer systems and how they function. It would be very difficult to replace her. She does not like change. Many of the employees would like to start using Apple computers, but Jane demands that everyone use Windows computers because that's what she knows and has always used. When management asks her to consider changing to Apple computers she always has many answers for not making the change. Managers suspect that many of her answers are fabricated, but they don't know enough about computers to challenge her. One day, she got so angry with another employee for arguing with her about computers that she through a book at him. The book hit the other employee in the eye and required stitches.