

Civil Service in County

'Little More than Myth'

Cook County politicians appear to regard the Civil Service Act as bootleggers once regarded the Volstead Act: It is a law that was made to be broken.

Their attitude has made Civil Service a failure in county government, and there is a reason for that. They want it to fail.

There is a reason for that stand, too. If Civil Service were a success, it would dry up the vast patronage pool which the politicians need to win and hold power.

The county's Civil Service policies are designed to maintain, not reduce, patronage, an investigation by the TRIB-

► Task Force Report

This is another in a series of reports by THE TRIBUNE and the Better Government Association on waste in county government. The series was compiled by THE TRIBUNE's Task Force, which includes director George Bliss and reporters Philip Caputo, William Currie, William Jones, and Pamela Zekman.

UNE Task Force and Better Government Association has found. Whether Republican or Democrat, the politicians have so abused the 75-year-old Civil Service law that merit employes today account for only 43 per cent of the county's 14,846 job holders.

The Taxpayers Pay

Assording to J. Terrence Brunner, Executive Director of the B. G. A., the cost of this abuse is passed on to the taxpayer in the form of salaries paid to large numbers of patronage employes drawing county pay while they work on other jobs in private industry; in high wages paid to unqualified workers, and in payrolls padded with useless jobs.

"It is obvious that Civil Service is little more than a myth in the county," Brunner said. "When George Dunne [president of the County Board] announced last month that he was slashing 67 jobs from the payroll, he was making noth-



J. Terrence Brunner

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County Civil Service Rated as Myth

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ing more than a token gesture toward responsible employment practices."

In contrast, an example of what can be done when a local government is serious about merit employment is the Metropolitan Sanitary District. Of its 2,213 employees, 2,008, or more than 90 per cent, are qualified under Civil Service.

The state's Civil Service Act was passed in 1895. It has a dual purpose: to protect government employes from arbitrary discrimination and to abolish patronage.

How Civil Service Works

When an applicant has passed an examination and is placed in a job, he is known as a classified or certified employe. He cannot be removed from the position for which he has been classified, nor can his duties be changed without the approval of the three-man County Civil Service Commission.

Government workers who have not passed an examination are known as temporary appointees, meaning they can be fired, demoted, or transferred any time their department head or political sponsor chooses. Generally speaking, "temporary appointee" means the same thing as "patronage worker."

But in a recent court case, attorneys for the Civil Service commission made this observation: "Civil Service laws in Cook County . . . are more honored in the breach than in the fact."

If Civil Service is a myth, one of the men who has made it so is Erwin [Red] Weiner. His position as county director of personnel is indicative of the contempt the politicians have for Civil Service. Weiner is a patronage employe, and yet he is in charge of the daily administration of the Civil Service laws.

Doesn't Know Own Status

Supervising a 21-man staff, he oversees the recruitment, testing, and placement of certified employes. The proper fulfillment of these duties is crucial to an effective Civil Service program. However, Weiner does not even know if his own position, let alone the thousands of positions he is required to fill, falls under the Civil Service Act.

"I don't know if I'm exempt [from the act], and I don't care," he told a reporter. "I never checked."

His disregard for merit employment is also reflected in the number of Civil Service employes in his own department—12 out of a total of 36.

"The fact that Mr. Weiner is not a Civil Service employe may be a violation of the statutes," said Roger Henn, former vice chairman of the commission. "I've complained about that. The law spells out who is exempt and who is not, and the personnel director is not."

Even tho he has failed to demonstrate his merit by passing an examination, Weiner maintains that he is fully qualified for his job. His background, however, is that of a veteran payroller.

Worked Patronage Vineyards

For almost 40 years he labored in the Democratic Party patronage vineyards of the Chicago Park District until, in 1968, an intraparty dispute forced him to resign as the district's general superintendent.

His political sponsor, Jacob Arvey, then prevailed upon Dunne, who is also 42d Ward Democratic committeeman, to hire Weiner as personnel director at \$25,000 a year.

Despite his own background, Weiner insists that "there is no patronage in county government."

One of his tasks seems to be making Civil Service look like a success rather than making sure it is a success.

His Figures Don't Check

For example, Weiner told a reporter that only 8,138 employes were working in departments under Dunne and in the Forest Preserve District. However, the TRIBUNE obtained an official census report drawn up by Weiner's own staff which reported that the figure was actually 1,351 more, or 9,489. [Because of a 1969 court injunction, Civil Service is restricted to two county departments—Dunne's and the Forest Preserve District.]

Weiner's underestimation was apparently an effort to make the number of patronage employes appear less than it actually was. There were 6,436 Civil Service employes in the two departments. Under the 8,138 total which Weiner gave the reporter, the number of patronage employes would have been only 1,702, but under the official figure, the number of patronage workers was really 3,053.

When the reporter asked for an explanation of the difference in the figures, Weiner, whose volatile temper earned him the nickname "Red," refused to disclose any further information, then hung up the telephone.

Before the outburst, he had explained that about 550 of the temporary appointees were exempt from classification because they held technical or professional jobs.

"A Bunch of Hogwash"

"That's a bunch of hogwash," commented a spokesman for the Civic Federation, a taxpayers' watchdog agency. "They could be exempting lawyers and doctors who haven't practiced for 14 years. Those positions should be certified."

The statistical game becomes more involved when the Civil Service population is broken down by department. Of the 6,436 merit employes, almost 5,100 are employed by the Department of Public Aid, which has a total staff of 5,230.

The county has placed a high percentage of Civil Service employes in the department because it has been forced to. If it failed to do so, it would lose state funds paid to the department's general and public assistance divisions.

By comparison, in six major departments under Dunne which do not re-



Erwin [Red] Weiner

ceive state funds, there are only 700 Civil Service workers out of a total of 1,500 employes. The Forest Preserve District has an equally dismal record, with only 490 of its 850 workers under Civil Service protection.

They Found a Loophole

One of the methods politicians use to stifle merit employment and extend patronage is promoting Civil Service workers to temporary appointments in higher-paying positions.

This move has the effect of enlisting merit employes as patronage foot soldiers. If the employe wants to keep his more lucrative temporary position, he must do the bidding of his political sponsor, which usually takes the form of doing legwork for his benefactor at election time. The employe cannot complain because his patronage job is not protected by the Civil Service laws.

There are about 1,360 county employes in this category. An example of how this system works involves a Civil Service worker in the county purchasing department, who was told last month that he was going to be promoted to a temporary position at a more attractive salary.

"But Mulville [Edward Mulville, county purchasing agent] told me I had to get a letter from my ward committeeman first. He said that if I got the letter, he would change my title and give me a temporary job. It was supposed to be a promotion," said the employe, who asked to remain anonymous.

Nothing to Fall Back On

"Well, what got me was that Mulville said he was going to abolish my old title, the job I was classified in Civil Service for," he continued. "I saw thru that. That meant I'd have nothing to fall back on if I got fired from the new job. I wouldn't be protected by Civil Service at all. I said the hell with it and told him I didn't even know who my ward committeeman was."

The length of time such employes are

kept on temporary status is an indication of how well or badly a Civil Service program is run, said Donald Morrison, director of personnel for the Sanitary District.

"Our rule of thumb is that it ought to be less than six months," he said.

Levern Kron, director of research for the Civic Federation, calls for even stricter guidelines.

"Temporary appointees should not be on the rolls for more than a month or two, or there is something seriously wrong with the system," Kron said.

Why They're "Temporary"

Both Dunne and Weiner have refused to disclose the average length of service of the county's patronage workers. However, former Civil Service Commissioner Henn said an approximate idea of this figure is offered by the average length of service of clerical workers in the office of the county assessor, P. J. [Parky] Cullerton. That is 6.1 years, according to official records.

Morrison described keeping employes on the temporary rolls that long as "ridiculous." But the men in power in county government do not think it is ridiculous and this is why.

"For political or patronage purposes, it is a good idea to have temporary appointees because you have more control over them than you do over Civil Service employes," said Norman J. Beatty, executive vice president of the Civic Federation.

One of the more effective tactics which the county uses to keep patronage alive is its unusual method of giving Civil Service tests.

A 1970 study by Maude Meyer, a Civil Service expert, concluded that the county had failed to reduce its patronage because it had neglected to examine enough applicants to replace temporary appointees. As a result, the pool of available merit employes was far below what it should have been.

This situation developed, she said, because the county was giving examinations to fill specific departmental positions rather than tests which covered broad ranges of job categories, as the State Civil Service Commission does.

System "Guarantees" Patronage

For example, rather than holding one test for the job category of sign painter, the county gives separate exams for maintenance and operation sign painter, forest preserve sign painter, and highway sign painter.

"The county will examine 20 people to fill one or two specific jobs," Henn explained. "The ones who don't get that job aren't placed in other positions held by temporaries, even tho they may be qualified. This system is why we have so many patronage workers. It virtually guarantees that patronage will not be reduced. It would take too much time and money to give enough of these nit-picking exams to certify all the temporaries."

Five of the county's elected officials—the assessor, treasurer, recorder of

deeds, state's attorney, and superintendent of schools—claim that all their employes are exempt from the Civil Service laws because they work in fee offices.

According to an Oct. 31 personnel census report, there are no Civil Service employes in those offices.

Long Time Between Tests

Robert Moran, chief of the administrative division for Cullerton, testified in a court hearing that Civil Service examinations for clerical workers in the assessor's office were last conducted in 1937.

In 1969 the Civil Service Commission initiated a program to begin certifying employes in those five elective offices. Charging that the legal exemptions applied only to the elected officials themselves and their immediate assistants, the commission announced that it would begin holding tests for clerical workers in the assessor's office.

It was prevented from doing so by an October, 1969, Circuit Court injunction, which ruled in favor of an allegation that the exams would violate the civil rights of Cullerton's patronage workers. Consequently, the commission is now restricted to holding tests only for employes under Dunne and in the Forest Preserve District.

More Power Lost

County government has further emasculated merit employment by reducing the ratio of Civil Service funds and Civil Service staff. According to commission reports, there was one Civil Service staff worker for every 299 county employes in 1939. This year, there is one Civil Service staffer for every 700 county job holders.

The commission also reported that in 1939, for every dollar the county spent on departments served by the commission, 3 cents went toward Civil Service. An examination of this year's budget revealed this amount has been slashed to slightly more than 1 cent.

Three years ago, the commission urged that the county cease conducting manual job audits in Weiner's department and turn the auditing over to its data processing center.

The recommendation was ignored. The job audit is still conducted by at least two members of Weiner's staff, whose salaries cost the taxpayers \$16,350 a year.

Beatty, of the Civic Federation, suggests why the audit is still done by hand:

"If you have a good precinct captain and he's classified as a common laborer, but you want to pay him a high wage, you put him on the books as a temporary foreman, even tho he's doing the work of a laborer."

A computer would make that kind of arrangement much more difficult to ignore.

Tomorrow: The County Building—a monument to waste.