

公共管理学经典教材原版影印丛书

Public Personnel Administration Problems and Prospects 【 Fourth Edition 】

公共人事行政：问题与前景 【 第四版 】

- *Steven W. Hays* 史蒂文·海斯
- *Richard C. Kearney* 理查德·卡尼



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Public Personnel Administration

Problems and Prospects

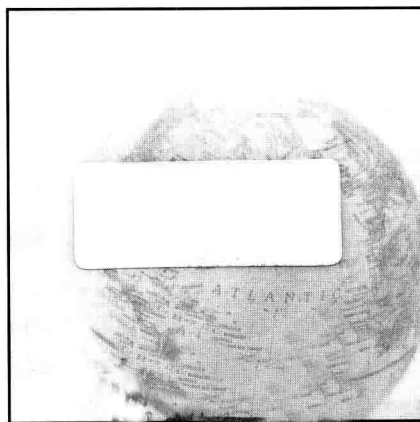
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Steven W. Hays, Richard C. Kearney

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丛书总序

周志忍

自20世纪80年代恢复以来,行政管理学在我国经历了十多年的摸索和积累期,世纪之交终于呈现出飞跃式发展的态势:行政管理学博士点相继设立,公共管理获得一级学科的地位,公共管理专业硕士学位(MPA)教育开始启动且发展迅猛,开设行政管理本科专业的大专院校达到130家,公共事业管理本科专业则突破了300家,加上党校、行政学院公共管理教研机构的大量设立,说公共管理是21世纪初我国发展最迅猛的学科并不夸张。

学科飞跃式发展的另一重要标志是新领域的开拓和知识的积累及其快速更新。国家自然科学基金委员会对与宏观管理相关的117种外文期刊进行的文献计量研究表明:“公共管理理论与方法是1994—2004年间国外关注最多的领域。其中,有关公共管理基本理论与方法的论文数占到了全部论文总量的44.6%。”对中国期刊网77种核心期刊的文献计量学分析的结果显示,“自1994年至2003年的十年间,关于公共管理基本理论与方法方面的论文增长迅速,从1994年的554篇,上升到2003年的1934篇,增幅达到3倍以上”。但在总量上仅占全部论文总量的4.59%,与国外的同类研究相比呈现出明显的差距(国家自然科学基金会管理科学部:《宏观管理与政策学科“十一五”发展战略研究报告》)。

系统了解和追踪国外的新理论和新方法,并在批判的基础上加以消化和吸收,是学科知识积累和更新的重要环节之一。进入21世纪后,我国对西方公共管理著作的翻译出版结束了零星分散的状态,呈现出系统化和细分化同时并进的势头。中国人民大学出版社的《公共行政与公共管理经典译丛》和《公共政策经典译丛》,华夏出版社的《政治学与行政管理学译丛》,上海三联书店的《制度分析与公共政策译丛》,中国青年出版社的《公共管理译丛》等,都对学科发展和政府管理现代化产生了积极的影响。北京大学出版社《公共管理学经典教材原版影印丛书》的出版值得庆贺!

原版书的系列化出版对学科发展的意义至少有以下方面:(1)有助于研究者外语能力的普遍提高。长期以来,阅读外文图书对我国学者来说近乎一种特权,纵有毅力和热情,但难以承受的价格、少得可怜的存本或繁琐的借阅程序令人望而却步。影印原版书无疑有助于克服这一障碍。(2)推动翻译出版的规范化和翻译质量的持续提高。许多学者谈到这样的经历:阅读译文时怎么也不明白的东西,翻阅原著就清楚了。这固然和不同语言之间的“通约度”有关,也不能否认翻译质量的参差不齐。在原版书“稀缺”的情况下,翻译质量的同行评价和监督机制会因为“信息不对称”而失灵,

影印原版书在这方面将大有裨益。(3)在知识发展日新月异的时代,影印原版书具有出版周期短的优势,可以把国外的最新成果及时展示给国内学界。

外文图书引进出版虽然不是一个垄断性市场,但新进入者会面临别样的风险和尴尬。这有点像一个开放的采摘果园,先入者有的图便利先摘取低枝上的果实,有的则把靓丽之果尽入囊中,也有的以口味、特色为择取标准,几轮采摘之后,选择余地就相当有限了。从目前情况看,国内外文图书的引进出版呈现出复杂状态,少量著作的中文译本和原版影印本同时发行,大量著作仅有中文译本。与此相应,北京大学出版社第一批影印丛书包括了几类:(1)仅有中文译本而没有原版影印本的图书;(2)已有中文译本但原文有新版的著作,如尼古拉斯·亨利的《公共行政与公共事务》第九版;(3)国内市场尚未引进,但同样具有影响力的著作。从涉及的领域来看,第一批影印丛书覆盖了公共行政、公共政策、公共组织管理、预算与财务管理、公共部门人力资源管理等领域。图书的选择既考虑了影响力,又给相关领域的经典文献荟萃以特别的关注。

着眼未来,期望公共管理原版书的影印出版不断开拓发展,形成品牌并最终发挥系统效应。目前国内外文图书引进出版的复杂状态,无疑为原版书的影印出版增加了困难。在避免重复的前提下形成有序的原版书系列,显然还有许多艰苦细致的工作要做。但毫无疑问,原版书影印如果没有实现系列化,所期望的对学科发展的意义就会大打折扣。更重要的是,期待北京大学出版社充分利用自己的资源优势,在原版书系列影印的基础上深度挖掘,独辟蹊径,在公共管理领域开辟出一片新天地。这不仅是一种追求,更是一份责任。

2005年10月25日

Preface

The third edition of this volume was published in 1995. In the preface to that book, we offered the opinion that the field of Public Personnel Administration (PPA) or Human Resource Management (HRM)—both terms will be used interchangeably—stood at the threshold of a new age. Specifically, we stated, “It is probably not an excessive burst of hyperbole to suggest that we have entered the third great stage of civil service reform in modern times.” Although no acute forecasting talents were needed to generate that observation, succeeding events have reaffirmed and deepened our conviction that PPA (or HRM) is immersed in an epic attempt to alter its techniques, goals, and underlying value system. To opine that “lots has changed” since 1995 is to engage in gross understatement.

The previous edition was written and published just as the so-called *reinvention* movement was beginning to take hold in civil service systems. At that point, there was far more speculation than fact as to the ultimate impacts that *decentralization* and the emphasis on *accountability* would exert. Because reform of the civil service is almost a constant, few words carry sufficient power and scope to impart the true meaning of what is now occurring in state and local HRM systems. We are now far enough into the current reform craze to draw some weighty conclusions, most of which *do* elicit descriptions that should be saved for truly momentous times. An expression such as *paradigm shift* may be hackneyed and melodramatic, but it certainly comes to mind when one surveys the contemporary landscape of public personnel administration. The pace of change is so rapid that it is sometimes bewildering. Moreover, the enthusiasm for revolutionizing basic approaches to human resource management is so great that it represents an almost irresistible force. Seldom has there been a stronger conviction and a more wide-

spread consensus about how the public personnel system of the future ought to look.

As has been our intent in the other three editions of this anthology, our purpose here is to provide readers with a concise overview of the *problems* and *prospects* of modern public personnel administration. The goal has not changed, but the challenge has certainly become more formidable. Whereas previous editions attempted to keep our audience up-to-date on such diverse issues as workplace diversity, the productivity challenge, unionization, ethics, and a plethora of related dilemmas, we must now contend with additional topics that transcend every other facet of the PPA system and permeate the fiber of both the theory and practice of this field. In a very real sense, HRM is being turned on its head before our eyes. One unmistakable example is the simple fact that the most basic element of public personnel operations—the merit system—is being abolished (or at least fundamentally altered) by reformers. Changes of this nature reverberate through the entire HRM system, affecting every technique and shifting the expectations that managers have of their offices of personnel management.

The chapters in this anthology represent another attempt to tap the exciting trends in PPA and to probe their implications. To this end, we have assembled original manuscripts that represent a cross-section of the timeliest and best-informed scholarship in the area of human resource management. The book contains a mix of thought pieces, descriptive analyses, overviews of occurrences in various settings, and theoretical essays. Consistent with our “problems and prospects” theme—one that has served us well for twenty years—the selections summarize the biggest problems confronting HRM practitioners and offer substantive suggestions for improving the practice of public personnel management. Obviously, then, the chapters focus more on the *future* of the field than on its past. We are more concerned with providing the reader with a firm sense of where the discipline may be headed, rather than where it has been.

Each chapter was prepared specifically for inclusion in this volume. The authors are all established figures in public personnel administration; many of them practice and consult in the field as well. They were selected on the basis of their recognized competence in, and past contributions to, the topical areas that are addressed in their essays. The present volume is almost completely different from its predecessor. Only seven (of 25) chapters constitute what one might consider to be updated versions of previous writings. Fifteen new authors are represented, evidence of the changing nature of human resource management and the expanding ranks of new and established scholars. We confess to being quite proud of the group that has been assembled to share their perspectives, and hope that you will agree that their insights are worthy of recognition.

The contributions are organized into four broad sections: The Setting, The Techniques, The Issues, and Reform and the Future. Although reform is expressly addressed only in the last section, you will quickly find that this is a topic that is woven throughout the entire volume. It is impossible to discuss modern HRM without examining the changes that dominate our field at any given moment. Insofar as the specific sections are concerned, Section One focuses primarily on the social, political, economic, and legal trends that have served as catalysts in the transformation of public personnel administration. Section Two summarizes developments in the practice of HRM, with special emphasis on emerging personnel

techniques and the ways that traditional approaches to the staffing function are being revised. Section Three discusses, and suggests responses to, some of the most troublesome or pervasive issues in modern personnel management. The final section assesses probable trends in the field's future, and analyzes the efficacy of recent reform efforts.

As in the case of the earlier editions, a prime consideration in the design, preparation, and organization of the book was that it be sufficiently readable for both graduate and undergraduate students. For this reason, the authors were asked to provide enough background information so that both beginning and advanced students could understand and benefit from the content. Additionally, the authors were requested to furnish concrete examples and practical information to enhance the volume's applicability to practitioners wishing to broaden their perspectives in the field. We are satisfied that these objectives have been met in every respect.

Our principal debt in assembling this anthology is to our contributing authors. They richly deserve our sincere thanks, for their efforts are the heart and soul of what follows. Because there are so many luminaries and emerging scholars in the area of public sector HRM, it was very difficult to decide which ones to ask for contributions. One of our continuing objectives is to change the authorship assignments with some regularity so as to bring new perspectives to this work. In so doing, we sincerely hope that anyone not included in this particular volume is not offended. With luck, we'll both live long enough to generate a fifth edition within a few years, thereby enabling us to call upon the talents of other leading scholars.

The contributors to the fourth edition of *Public Personnel Administration: Problems and Prospects* produced quality manuscripts on short notice, and exhibited remarkable patience with our repeated requests for revisions, clarifications, and elaborations. Many endured hardships in meeting the deadlines we imposed, especially those whose chief professional responsibility is to *provide* HRM services, not write about them. We hope that all of the contributors are aware of the depth of our appreciation. We also thank the reviewers of this edition for their helpful comments: Rhonda Allen, California State University-Fullerton; Laurie N. DiPadova, University of Utah; Wendell C. Lawther, University Central Florida; Emmett N. Lombard, Oakland University; and Lloyd G. Nigro, Georgia State University.

Finally, we would like to thank those kind academic souls who have adopted the previous volumes for their courses in public personnel administration. This book has proven to have very "long legs" in the profession, a reality that could only be made possible by the thoughtfulness of our fellow HRM faculty colleagues. Should any of you wish to communicate with us about this volume, or to propose future amendments or clarifications, please do not hesitate to do so.

Steven W. Hays
Richard C. Kearney

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Section One

THE SETTING

To a great extent, public personnel administration is a mirror of the society it serves. Public jobs are ultimately public resources, so everyone potentially has a claim (or at least an interest) in how civil service jobs are apportioned and managed. And, because of the critical role that public employees play in conducting the people's business, society has a direct and appropriate stake in ensuring that the personnel function operates according to its wishes. For these reasons, a proper understanding of the problems and prospects of contemporary HRM must begin with an appreciation for the environmental factors that influence the practice of public personnel administration.

Since its inception, the merit system has been enmeshed in the fiber of the American political and social fabric. To say that "politics" exerts a profound influence on the public personnel function is hardly revealing or surprising. Yet, as examined in the first six chapters here, the nature and purposes of political intrusions into the personnel process have undergone important changes. In the initial essay, Lana Stein provides an overview of the essential value conflicts that imbue the civil service system. Her brief analysis of the historical progression of patronage and merit provides a framework for understanding the later chapters in which this critical distinction is further dissected.

Donald Klinger picks up this theme in the second chapter, and provides additional perspective on the complex web of pressures and demands that our society places on the HRM function. He includes what has become a rallying cry of many reformers, that of *privatization*. An underlying current that runs through both

of these essays is that the design and operation of any personnel system involves political and ideological choices, whether or not they are made explicit by the managers and politicians who are ultimately responsible for breathing life into personnel policy.

The remaining four chapters in the section examine specific elements of the contemporary HRM setting. Rosenbloom and Bailey provide a concise analysis of the legal context of public personnel administration. As one of the primary forces shaping personnel policy, judicial decisions affect every facet and technique in the field. In effect, PPA has been "constitutionalized" to such an extent that every personnel manager needs to have a basic familiarity with the law. Chapters Four and Five examine two different levels of the public personnel system, local and federal. Saltzstein's examination of personnel management in local government provides an interesting contrast in both scale and sophistication to the picture of the federal system that is painted by Patricia Ingraham. In addition to updating the reader on the status of HRM reform in the federal sector, Ingraham provides an overview of the reinvention phenomenon and its implications for personnel practices in the nation's capital. The final chapter in the section ties these discussions together by analyzing how the personnel function has been "deregulated." Basing his discussion on empirical studies of merit systems across the nation, Cogburn examines both the consequences and the potential risks associated with the decentralization and "de-bureaucratization" of civil service systems.

The Political Context of Public Personnel Administration

LANA STEIN

University of Missouri-St. Louis

The public personnel process in the United States is political. It is part and parcel of who gets what from government. Yet, traditionalists in the personnel field aver that the relationship between politics and personnel practice is an oxymoron. They see administration and politics as separate entities. For them, merit is the gauge by which personnel decisions are to be made and use of any other criteria corrupts the process.

This chapter will explore the historical roots of the separation of politics from personnel administration. It then assesses the interplay of politics in contemporary personnel practice by looking at hiring and firing, workforces representative by gender and race, and the role of collective bargaining in the public sector. Finally, attempts by recent presidents to use appointments to ensure ideological compatibility in the executive branch will represent a modern twist to politics and the personnel process.

The denial of the political in public personnel administration has institutional and cultural roots. In fact, the American distrust of government and politics goes back to revolutionary times. That distrust became more manifest in the last half of the nineteenth century. While the nation grew rapidly, its methods of governance remained remarkably unsophisticated at every level. Political ties and cash payments assured people of jobs in the public sector. Corruption in the form of kickbacks, benefitting from insider knowledge, and outright bribery were far from uncommon.

Reformers, gathered under the Progressive umbrella, sought to replace inefficient and, at times, unsavory practices of machine politics with a scientifically based system that would ensure a competent and efficient workforce. Progressives,

for the most part, were urban reformers of the upper middle or upper class. They were native-born white Protestants who did not benefit from the machines and wanted to see men like themselves in government instead of recent immigrants. It is from Progressive thinkers that the concept of a dichotomy between politics and administration arose. After all, their *bête noire* was the political party and politics in general and some of their reforms purposefully weakened political parties in the United States. As Mosher (1982:68) noted, the Progressive movement was essentially negative. "It associated what we now refer to as personnel administration with morality, with a connotation of intrinsic 'goodness' versus 'badness.'"

Using the growing number of sizeable corporations as models, Progressive reformers sought to discover administrative principles that would assure good government. Ironically, however, the rules they devised to guard against any taint of political favoritism in the personnel sphere frequently had no counterpart in the world of business. To this day, those interested in governmental reform continue to look to the private sector for answers much as the Progressives did. Another part of the Progressive legacy is the continuing distrust of politics and politicians by the American public.

Today, public personnel administration remains identified with civil service—a merit-based system. However, the passage of time has revealed that the principles Progressives devised to govern employee selection are not immutable. In fact, they have been shown to disproportionately favor certain societal groups. Although some still believe in a personnel system untainted by political considerations, others recognize that different sets of rules lead to different outcomes. Mosher (1982:70) succinctly stated that,

The concept of neutrality gave the early enthusiasts for civil service reform difficulties, even as it continues to pose difficulties today. How can a public service which is neutral in political matters and which is protected be responsive to a public which expresses its wishes through the machinery of elections, political parties, and interest groups?

Initially, reforms put into place by the Progressives from 1900 to 1915 resulted in the replacement of immigrants and their children on the public payroll by upper-middle class native-born white Protestants (Hays:1984). The Progressives were structural reformers who realized and desired that their institutional changes would result in different procedures and different players. Their schema of classification, testing, and rule of three had a dual purpose, eliminating the spoils system and changing workforce composition. Adoption of their new operating rules did not prevent discrimination against women, African Americans, and other non-elite groups.

Progressive reforms certainly diminished the hiring of political friends without any requisite qualifications. But, elaborate personnel structures based on merit did not prevent inefficiency or bureaucratic dysfunction. In fact, these structures may have contributed to these very problems. In recent years, new solutions for public personnel administration's shortcomings have again been sought in the private sphere. Some practitioners and critics continued to eschew the politics in administration. Yet, public personnel administration and public administration gen-

erally are part of the American political process. As such, they are bound to address the questions of equity and effectiveness and have to work with the numerous interests that have a stake in public programs in the United States.

Through a discussion of contemporary public hiring, representative bureaucracy, labor organizing, as well as reforms to and reinvention of the public sector, public personnel emerges as part of the wider area of governance and of the politics that permeate that governance. Finding the best person for the job is just one objective of public personnel practices that does not and cannot exist in isolation. Practices vary by department at all government levels and they also vary city by city and state by state. Political form and political culture combine to shape the nature of recruitment and selection and of the recognition of bargaining rights. Politics does not play the same hand in every jurisdiction but it is present in some form.

POLITICS AND HIRING

Blatant political hiring is no longer commonplace in the United States as it was a century ago. Most governmental jurisdictions hire according to the general precepts of a merit system. At the federal level and in most large cities there is a civil service. States and counties have come later to the merit fold and some patronage employment remains in scattered locations. In certain cities where machine politics has managed to endure, civil service rules and regulations frequently have operated in tandem with political influence on hiring. For example, in 1952 Philadelphia began operating under a new charter that provided for a civil service commission independent of operating departments. However, Philadelphia's rigid classification scheme actually subverted its merit intentions. According to Shafritz (1973:59) the rules were sidestepped and informal procedures were used at times "to reward personal favorites." Since Philadelphia came late to civil service—1952—it was easy for "organizational" politics to hold sway over civil service's rigid specifications. In keeping with the morality inherent in American personnel administration, Shafritz (1973:59) noted that "organizational politics tends to be beneficial when merit is rewarded, deleterious when favoritism is rewarded."

St. Louis also has strict civil service rules. These rules became part of the city charter when voters, somewhat surprisingly, adopted a strict merit system in 1941. Despite the addition of civil service, St. Louis has remained a bastion of factional ward politics. Although its charter prescribes testing for every position and the rule of three for selection, as well as prohibitions against any political influence in personnel decisions, a strange hybrid has emerged. In St. Louis, after job candidates have been tested and ranked, elected officials frequently supply letters of recommendation to the appointing party (usually a department head). If a recommendation is from the mayor or from the chair of the aldermanic committee overseeing that department, the hiring choice is an easy one. (In St. Louis, members of the city council are called aldermen.) As one elected official has said, "You take the candidate who has exhibited qualifications and also has well-placed friends" (Stein, 1991:36–38). Mayors also intrude into this process. Usually, it is for a more senior position but sometimes department heads are asked to appoint a mayoral

friend or someone's brother-in-law. Many department heads are mayoral appointees; they "go along to get along" when asked to hire a particular individual. Politicized merit in St. Louis does not touch every municipal hiring—but it is not unusual either.

Surely in other cities, counties, states, and at the federal level, whom you know may affect your chances of being hired or promoted as well. Wholesale patronage, on the other hand, appears to have died out in the embers of the Richard J. Daley machine in Chicago. Daley had about 20,000 city jobs at his disposal and he personally authorized every political hire (Biles, 1995:188). Even before his death in 1976, however, his ability to dispense patronage was limited by court decree. In 1969, Michael Shakman "filed a lawsuit challenging the constitutionality of Chicago's patronage system" (Freedman, 1988:847). Shakman alleged that "public employees were required to work for the machine and to contribute a portion of their salaries to the machine war chest" (Freedman, 1988:847). With the suit before the U.S. Court of Appeals, Mayor Daley and other officials entered into a consent judgment in 1972 that banned terminations for political purposes. *Shakman v. Democratic Organization of Cook County* weakened Chicago's patronage system because it prohibited the wholesale replacement of workers when there is turnover among elected officials. In 1976, in *Elrod v. Burns*, the United States Supreme Court entered a very similar finding. The Supreme Court clarified its ruling further in *Branti v. Finkel* in 1980, stating that dismissals of patronage employees could occur only when party affiliation is an appropriate requirement of the job.

Harold Washington, Chicago's first African American mayor, ran for that office as a reformer. However, he had to confront a largely hostile municipal workforce when he assumed office. His hands were tied. Having campaigned against patronage, he could not try to defy the Shakman strictures. Mayor Washington, though, like many mayors and elected executives, found the letting of contracts to be another way of rewarding or encouraging political support (Freedman, 1988).

The courts later added more limitations to political hiring. In 1990, the U.S. Supreme Court ruled 5-4 in *Rutan et al. v. Republican Party of Illinois et al.* that political loyalty could not be the test for hiring or promotion unless a compelling governmental interest also was served. Court decisions could then be used to curtail patronage at both ends: by elimination of a political test for hiring and by prohibition of terminations for political reasons unless policy-making responsibility was involved.

Electoral politics plays a less significant role in governmental personnel processes than it did a century ago or even four decades ago. Merit-based selection generally dominates many public personnel systems. Yet, some form of politics affects numerous other aspects of personnel-related functions, even though hiring political friends does not enter into the picture. Other considerations emanating from the judicial, executive, or legislative branches have brought public personnel administration outside its originally narrow confines. The desire for a representative workforce and a demand for collective bargaining do not readily fit the traditional merit system model devised by the Progressives. In addition, the need of executives to ensure policy responsiveness from their bureaucracies also creates a new challenge for personnel professionals who have long espoused the need for a depoliticized civil service.