

The Merit System Principles:

Guiding the Fair and Effective Management of the Federal Workforce

Presentation at the ASPA Annual Conference

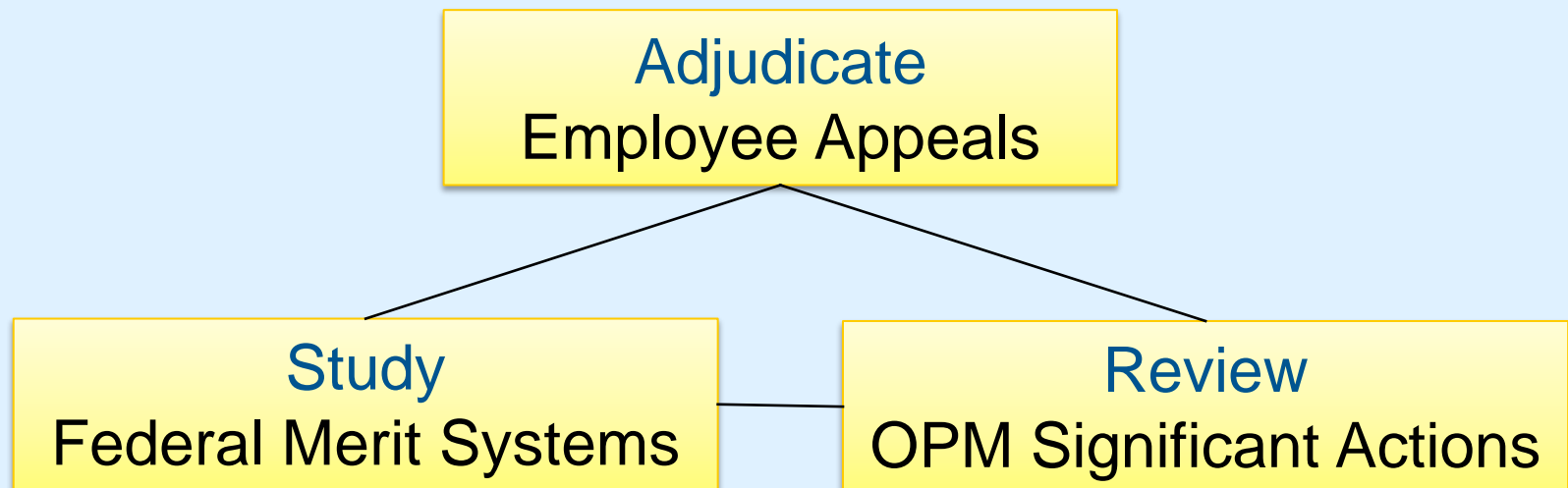
U.S. Merit Systems Protection Board

March 19, 2017



U.S. Merit Systems Protection Board Mission

Protect the Merit System Principles
and promote an effective Federal workforce
free of Prohibited Personnel Practices



Civil Service Reform Act of 1978

“Promote a more efficient civil service while preserving the merit principle in Federal employment”

9 Merit System Principles (MSPs)

5 U.S.C. § 2301(b)

13 Prohibited Personnel Practices (PPPs)

5 U.S.C. § 2302(b)



Core Values of the Federal Civil Service

Merit System Principles include—

- Recruitment of **diverse** pools of **qualified** individuals
- Selection and advancement based on relative **ability**
- **Fair** and **equitable** treatment
- **Equal pay** for work of equal value
- **Protection** from partisan politics and arbitrary treatment

Prohibited Personnel Practices include—

- **Discriminating** on a legally protected basis
- **Coercing** political activity
- **Obstructing** employment competition
- **Retaliating** for whistleblowing



Research Questions

- How well are Federal agencies adhering to MSPs?
- How well do Federal employees understand the MSPs?
- What education on the MSPs do Federal agencies provide?



Adherence to MSPs: Employee Perceptions

MSP	Statement: My organization...	Agreement
1 Recruitment	Recruits a diverse pool of applicants	61%
	Holds fair and open competition	48%
	Selects the best-qualified candidates	38%
2 Equity	Treats employees fairly	52%
	Prevents prohibited discrimination	66%
	Rectifies prohibited discrimination	60%
3 Compensation	Pays employees fairly	63%
	Recognizes excellence	51%
	Rewards excellence	51%
4 Conduct	Holds employees to high standards of conduct	64%
	Puts the public interest first	60%
5 Utilization	Uses the workforce efficiently and effectively	42%
	Eliminates unnecessary functions and positions	29%
	Makes good use of employees' skills and talents	45%
	Focuses on what is most important	48%
	Provides employees with necessary resources	56%



Adherence to MSPs: Employee Perceptions

MSP	Statement: My organization...	Agreement
6 Retention	Addresses poor performers effectively	24%
	Retains its best employees	41%
7 Training	Provides employees with necessary training	60%
	Provides employees with opportunities for growth	52%
8 Neutrality	Protects employees against reprisal for exercising a right	46%
	Protects employees against arbitrary action	43%
	Does not engage in favoritism	28%
	Protects employees from political coercion	50%
9 Public Interest	Protects employees against reprisal for whistleblowing	45%

Source: U.S. MSPB, 2010 Merit Principles Survey



Experience of PPPs: Employee Perceptions

In the past two years, an official in my work unit has...	Occurred	Personally Affected
Discriminated on the basis of marital status	2.5%	1.7%
Discriminated on the basis of political affiliation	2.1%	1.1%
Discriminated on the basis of non-job-related off-duty conduct	5.6%	2.0%
Solicited or considered an improper employment recommendation	9.5%	3.7%
Tried to define the scope or manner of a recruitment action to improve the chances of a particular person	15.1%	6.9%
Advocated for the appointment or advancement of a relative	10.5%	1.7%
Tried to pressure someone to support or oppose a candidate or party for elected office	1.7%	0.7%
Taken or threatened to take a personnel action in response to an employee's filing an appeal, grievance, or complaint	7.2%	3.9%
Taken or threatened to take a personnel action in response to an employee's disclosure of a violation of law or fraud, waste, or abuse	5.0%	3.2%

Source: U.S. MSPB, 2010 Merit Principles Survey.
 Survey items and response options paraphrased from the original.



Knowledge of the MSPs and PPPs

Employee Type	“Excellent” or “Good” Knowledge
Noncareer Executive	62%
Experienced Supervisor	89%
New Supervisor	72%
Nonsupervisor	52%

Collectively, Federal HR staff had much a less positive—but perhaps more realistic—view of employees’ knowledge than the employees themselves.

In MSPB’s 2011 Fair and Open Competition Survey, 74% of employees agreed (self-reported) that they were familiar with the MSPs, and 77% agreed that they were familiar with the PPPs.



Agency Education on MSPs

Coverage of MSP Training

Employee Type	All or Some
Supervisors	89%
Noncareer Executives	59%

Timing of MSP Training for New Supervisors

First month	4%
Second-sixth month	77%
Never	18%

Length of MSP Training for New Supervisors

Less than 3 hours	77%
4 to 8 hours	9%
More than 8 hours	14%

Source: U.S. MSPB, 2014 MSP Education Agency Questionnaire



Research Findings

- Adherence to MSPs and avoidance of PPPs
 - Room for improvement
- Knowledge of MSPs
 - Less than believed, less than necessary
- Education
 - Insufficient, especially at highest levels
 - Variable in coverage, timeliness, and depth



Recommendations and Strategies

Recommendations

- Strengthen leadership commitment
- Improve training and education
- Hold leaders accountable for actions and outcomes

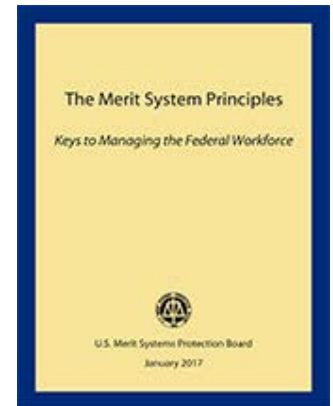
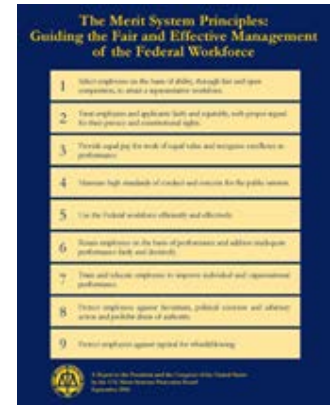
Possible Strategies

- Learn from *effective* ethics education
- Continuous learning (multiple instances)
- Multiple media
- Courses *and* conversations
- Educate the *decision-makers*
- Strengthen the *advisors* to decision-makers
- Improve selection of decision-makers and advisors



MSP Resources

- *Issues of Merit* newsletter articles
- *The MSPs: Guiding the Fair and Equitable Management of the Federal Workforce*
- *The MSPs: Keys to Managing the Federal Workforce*



For Additional Information

MSPB overview:

- www.mspb.gov

MSPB Studies:

- www.mspb.gov/studies
- www.mspb.gov/studies/browsestudies
- Listserv

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