

# THE CIVILIAN

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## A MODEL CIVIL SERVICE LAW.

(Third Instalment.)

*In the issues of Sept. 18 and Oct. 2, The Civilian published the main features of a proposed Model Civil Service Law, as presented to the National Assembly of Civil Service Commissioners of the United States. A minority report of the committee in charge of the bill was prepared by Mr. Lewis H. Van Dusen, of the Philadelphia Civil Service Commission, and resulted in the final acceptance of the bill by the conference being postponed for one year. The principle features of Mr. Van Dusen's report are hereunder reproduced, and will be found interesting:—*

A Model Civil Service Law should not be confused with an Ideal Civil Service Law. The fundamental essentials of a Model Law are that it should be adaptable, acceptable and practicable. These requisites do not necessarily pertain to an Ideal Law. I understand it to be the function of this committee to draft a Model Civil Service Law and not an Ideal Civil Service Law. The Model Civil Service Law must be adaptable in that it must meet the needs of the time and fit readily into the ordinary scheme of government; it must be acceptable in that the legislative bodies or the electorate to whom it is presented for adoption must understand its principles, believe in them and seek to carry them out; it must be practicable in that its features must be capable of administration by ordinary individuals without upsetting the usual processes of government, guaranteeing to employees in the public service due consideration, guaranteeing to citizens equal rights in public employment, and at the same time giving appointing officers their full measure of consideration. No law can meet these requisites, which assumes that all virtue is vested in the men who might compose the Civil Service Commission, or which assumes that members of Civil Service Commissions will be devotees of a great prin-

ciple, and that all appointing officers will be opponents of that principle.

The majority report lays down as its first cardinal principle "that government should be controlled by the people," and yet one distinctive feature of that report is that it places the Civil Service Commission beyond the reach of the people, or of any official so far as its administration policies, methods of work, and results obtained are concerned. The Commission is placed absolutely beyond reach and can do anything it pleases so long as it does not give cause for a suit at law. While it is true that the law submitted in the majority report provides for the removal of Commissioners after court trials for malfeasance in office, gross neglect of duty, or palpable incompetence, nevertheless, I submit that such a method of removal would in no wise prevent the carrying out of administrative policies on the part of a Commission, which policies might be diametrically opposed to the will of the people. For example, this method of removal affords no check upon the undue laxity or rigidity of a Commissioner's examinations, or upon the equity or inequity of its policy of fixing salaries, the soundness or farcical nature of its grading the service, the equitable or inequitable nature of its decisions in connection with removals, or, in