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ARTICLES

FEATURES

DEPARTMENTS

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WORTH NOTING

☐ **TO EASE COMPRESSION.** President Nixon has asked Congress to approve legislation that would relieve salary compression for some 10,000 career employees. The remedy, as proposed, would be a modification of the rates at executive levels. Levels I and II would remain unchanged; Level III would go to $42,000; Level IV to $41,500; and Level V to $41,000. Thus, supergraders and their counterparts, whose pay may not exceed the rate for Level V, could be paid up to the rate determined by comparability, but not to exceed $41,000.

☐ **RETROACTIVE PAY.** The Commission has issued guidelines for agencies to compute a 5.14 percent retroactive pay adjustment for the last quarter of 1972. Covering the seven biweekly pay periods beginning between October 1, 1972, and January 1, 1973, the pay adjustment affects 1.3 million white-collar Federal civilian employees.

The Commission has instructed agencies to reconstruct personnel actions taken during the retroactive period to insure correct payment.

Basic pay—as well as premium pay, standard deductions, and allowances and differentials based on basic pay—must be recomputed. Since annuities are computed by a formula using the highest average yearly pay for 3 consecutive years of service, the retroactive adjustment can affect annuities of those who have retired since the beginning of the retroactive pay period.

In addition, agencies are obligated to trace former employees who have left the

(Continued—See Inside Back Cover)

ABOUT THE COVER: "Help Meet the Challenge" is the message of the hands, with "Skills" shown in action on the back cover. Through the medium of American Sign Language, we salute all handicapped Federal employees who apply their skills to help meet the challenge of providing good government.

The hands belong to Bob Werner—until recently, Placement Director of Gallaudet College (for the deaf) in Washington, D.C. Mr. Werner is now Program Manager for the Commission's Office of Selective Placement Programs where he works under the direction of Mrs. Hedy Oswald in promoting the Federal program for employment of the handicapped.

Equal Employment Opportunity for the Handicapped

by JAYNE B. SPAIN
Vice Chairman
U.S. Civil Service Commission

THIS OCCASION—this event of nationwide scope—has over the past 6 years enjoyed a steadily growing significance. A tradition was born on this stage in 1969, and I am confident it will survive through the years to come.

We gather here to recognize, and to highlight, the achievements of 10 men and women from California, Colorado, Utah, Kansas, Ohio, Missouri, Texas, and Washington, D.C., who could not have been faulted had they not achieved at all, let alone with such distinction. Our 10 awardees have never emphasized their physical handicaps—they overcame them!

No, it wasn't easy. For those of us who have eyes that see, ears that hear, voices to speak, arms to work, and legs to walk—the path is easy. We don't have to struggle to overcome man-made barriers—neither the environmental barriers nor the attitudinal barriers toward those who are different. They had to overcome physical disabilities, man-made barriers, and prejudice to compete and hold their own on the same basis as the nonhandicapped. They have done it well.

It will be a little easier for those who follow because now we have a new law affecting the handicapped—a law that is a hallmark in the annals of legislation. On September 26, 1973, President Nixon signed the

VICE CHAIRMAN SPAIN addressed the sixth annual awards ceremony honoring the 10 Outstanding Handicapped Federal Employees of 1973 on April 4, 1974, in the Department of Commerce auditorium.

More than a paper commitment...

Rehabilitation Act of 1973, which focuses strongly on the needs of severely handicapped persons—that is, their rehabilitation which leads to productive, useful, and happy lives. Among the monumental areas covered in the legislation is found one very short, but extremely important section. It addresses itself to perhaps the most vital part of rehabilitation: Employment. And it focuses particularly on the leadership of the Federal Government as an employer.

Let me describe two of the key requirements in this law:

"First, the Act establishes an Interagency Committee on Handicapped Employees. Its purpose is to provide a focus for Federal and other employment of handicapped persons. The law specifically designates the Secretary of Health, Education, and Welfare and the Chairman of the Civil Service Commission as co-chairmen of the Committee, with the Administrator of the Veterans Administration and the Secretary of Labor as members. Other members will soon be named by the President.

"The second major requirement relating to employment calls for all Federal agencies to prepare affirmative action program plans for the hiring, placement, and advancement of handicapped individuals. The plans are to be approved annually by the Civil Service Commission and reviewed by the Interagency Committee

ON THE PRECEDING PAGE, the 10 outstanding Handicapped Federal Employees of 1973 are shown on stage at award ceremonies with CSC Vice Chairman Jayne B. Spain and Sen. Robert J. Dole. ABOVE ON THIS PAGE, TOP, are some of the award recipients with their agency escorts; BELOW is Senator Dole delivering the main address.

on Handicapped Employees."

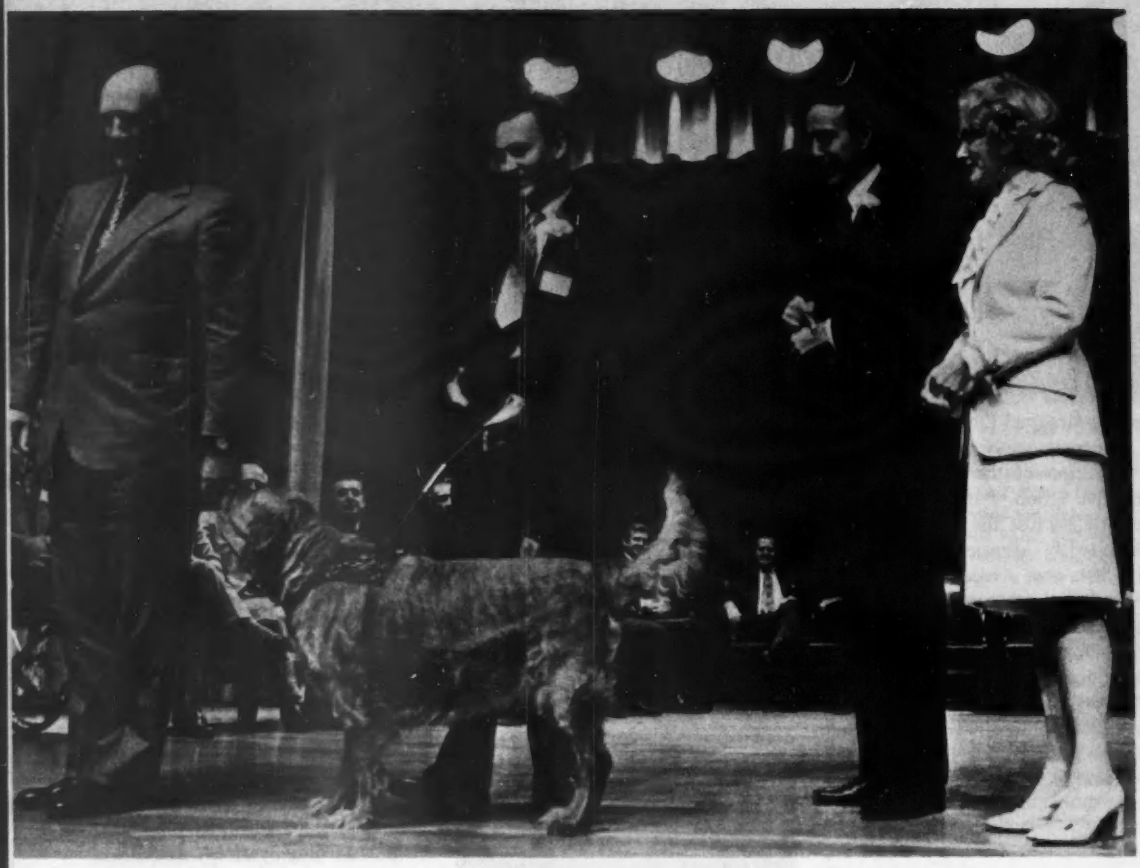
Our ceremony here today is a timely reflection of the purposes of affirmative action. I mention this particularly because the first plans to be submitted by agencies started coming in a little over a week ago. Our first review of these proposed efforts by agencies is most encouraging.

We at the Commission are enthusiastic about the emphasis placed by Congress on this important part of rehabilitation. We have taken certain steps to enhance our leadership role in promoting selective placement programs for the handicapped. I would like to mention only a few of those steps.

The staff of our central office has been increased to provide technical guidance to agency headquarters. This includes assistance in the development of action plans and ways to implement them. Our new staff members include persons with professional experience in the field of rehabilitation—to assure that the needs of disabled persons are fully understood by Federal employers.

ABOVE, the Gallaudet Dancers, a dance group of the deaf at Gallaudet College in Washington, D.C., entertain at a reception honoring award recipients. BELOW, J. Philip Bohart, Director of CSC's Manpower Sources Division, presides at the award ceremonies.

We plan to utilize all of the resources of the Commission in developing techniques and tools that will have practical value for Federal managers and agency Coordinators for Selective Placement. This includes the development of training courses, the issuance of informational materials regarding various disabilities, supervision techniques, job restruc-



turing methods, and modifications of architectural and transportation barriers.

The resources of our regional and area offices will be used to assist agency field installations in implementing their plans. Along with this, we envision greater communication and working relationships with community organizations serving the handicapped and with State vocational rehabilitation agencies.

These things I have mentioned are a few of the actions we plan. We are approaching these responsibilities with ambition and enthusiasm, and we sense these attitudes are reflected throughout the Federal family.

Nevertheless, let me challenge all of the Federal representatives in the audience to work even more diligently to assure that equal employment opportunity for handicapped persons is more than a paper commitment.

What better inspiration can we have than the 10 persons whom we honor today?

ABOVE, John R. Stedgell and leader dog Noah are shown with Mr. Stedgell's agency escort, Assistant Secretary of the Air Force James P. Goode (l.), Senator Dole, and Mrs. Spain. BELOW, a reprise of the proud group.

In closing, may I also challenge our awardees. We need your help in expanding our efforts. We invite your suggestions, and we hope to benefit from your experiences and your talents. We urge your continuing involvement with your own agency programs, in your local communities, and with us at the Civil Service Commission.

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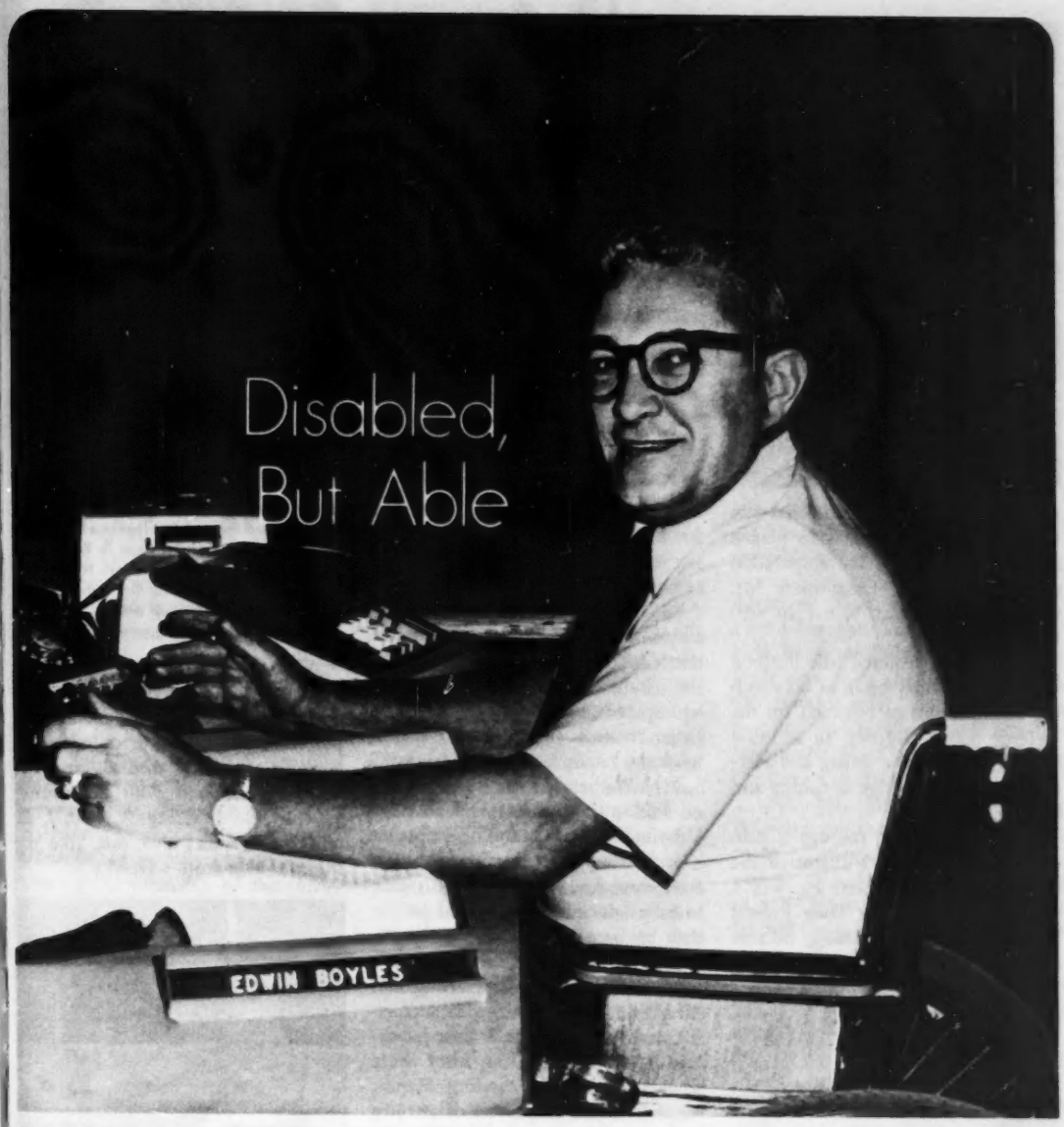
Disabled, But Able



by EDWARD STAPLES
Office of Public Affairs
U.S. Civil Service Commission

AMERICAN men and women fought World War II so others could live in peace. By early 1945 the men of the Allied armies had driven the German armies back inside their own borders. But the armed might of the Third Reich continued to extract a terrible price from the steadily advancing Allied troops.

While fighting in this advance, Howard J. Garling was hit by shrapnel that tore into his hip, arms, head, and right lung. He was evacuated from the German front to a field hospital where his right arm was amputated in February 1945.

His recovery and the arduous process of learning to use an artificial arm required a year and a half in Army hospitals where he mastered those functions required for a normal life.

But after returning to civilian life his hip wound continued to plague him and necessitated the amputation of a leg in 1960. Once more Mr. Garling had to learn to use an artificial limb.

In 1962 he entered the Federal work force. Today he is an outstanding administrator of contracts for the Defense Supply Agency. In addition he plays the electric guitar and electric organ, and is active in fishing and boating.

Another profile in courage is provided by Russell C. Williams of the Veterans Administration. He was a star athlete in college. Then Russell Williams, like Mr. Garling, became a casualty of the European Theater of World War II. Mr. Williams lost his sight in 1944 as the result of wounds received while he was serving with the 83d Infantry Division at Dinan, France.

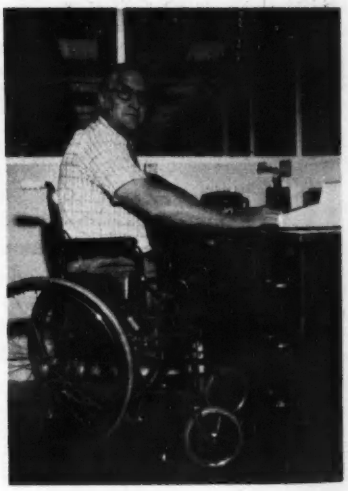
In 1948 he was named the first Chief of Blind Rehabilitation for the VA. At that post his work with the "long cane" has resulted in its widespread use today. This cane helps to free the blind to travel, work, and function independently.

Mr. Williams continues to work on aids to the blind. He administers VA-funded research and development —such as a project developing a new laser cane for the blind. He is said to have "done more for blind people than has any other individual."

In the 29 years since peace was reached in Europe, Mr. Garling and Mr. Williams have waged a successful struggle to overcome their handicaps. And on April 4, they were among the 10 Outstanding Handicapped Federal Employees of 1973 to be honored for their exceptional service.

ON THESE PAGES the 10 Outstanding Handicapped Federal Employees of 1973 are shown on their jobs. Page 5, Edwin C. Boyles. This page, above left, Ivy D. Deans; middle, Howard J. Garling; right, Oral O. Miller; and below, William L. Brewster.

Although war inevitably demands sacrifice, the majority of the 10 Outstanding Handicapped Federal Employees are victims of such perennial enemies of man as disease, birth defects, and accidents, which, of course, are just as disabling. Certainly all must have spirits that can, like the Phoenix, rise from adversity.



ABOVE LEFT, Cheryl Lee Maloney; right, Frank G. Chituras; and below, Russell C. Williams.

Their accomplishments are many, as Sen. Robert J. Dole of Kansas noted in his speech at the sixth annual awards program honoring these employees. He pointed out that the 10 were honored not because of their disabilities, but because of their capabilities.

Miss Cheryl Lee Maloney gives validity to the Senator's statement. Miss Maloney was born without arms. She has worked as a keypunch operator (she uses her feet!). Miss Maloney is presently a computer programmer and management intern with the Department of the Army. She attributes her success in part to her parents who never said that there were things she could not do. Miss Maloney proved them right.

Oral O. Miller lends further support to the Senator's remarks. An accident left Oral Miller blind at the age of 8. Yet he was valedictorian of his class at Louisville (Ky.) High School. After high school, he received a scholarship to Princeton University where he crewed for the varsity squad and graduated in the upper fourth of his class. He received two scholarships to the University of Chicago law school and graduated in the upper third of his class there.

His legal specialties are procurement law, secured transactions, administrative law, and criminal law. Mr. Miller is now an attorney with the Office of the General Counsel at the Small Business Administration.

Accidents also forced Edwin C. Boyles and William L. Brewster to study for a profession, although both men were working in jobs requiring physical labor before their injuries.

Mr. Boyles was employed as a mechanic for an oil refinery when an accident rendered him a paraplegic. After receiving an accounting degree from the University of Colorado, he successfully pursued his new profession with the Department of the Interior. Mr. Boyles also participates in a wheelchair bowling league and plays basketball with the "Rolling Cowboys."

Like Mr. Boyles, William L. Brewster overcame tremendous odds as an adult retraining for a new vocation. Mr. Brewster was working in a trainyard in Los Angeles when he lost both legs. He obtained his

accounting degree from the University of Southern California and is an auditor with the Defense Contract Audit Agency.

In his youth Robert L. Bates, also employed by the Department of Defense, lost his hearing during an attack of scarlet fever. Then, slowly, he lost the power of speech also. After graduating from Gallaudet College, he did graduate work at American University before joining the Department of the Navy where he is a senior mathematician. He has received frequent recognition for his contributions to the Navy's automatic data processing systems.

Not all of the 10 handicapped winners chose a profession. Others have achieved success in skilled occupations.

John R. Stodgell, a technician, began losing his eyesight in 1944 while serving in the Pacific with the U.S. Marine Corps. He underwent three operations, but the process proved irreversible. After attending a school for the blind, Mr. Stodgell became a radar technician for the Department of the Air Force. Since 1970, he has received repeated awards for his technical innovations. He is married and lives in Utah. He recently expressed his personal philosophy: "I think it's important that a handicapped person try to live as normal a life as possible. A person who tries to react normally will find that life can be easier, and a lot more pleasurable."

Frank G. Chituras was able to continue in the same work although an attack of polio confined him to a wheelchair. He was working as a distribution clerk for the Postal Service when disabled by polio in 1947. By 1948 he was back on the job using the wheelchair to propel him as he shuttled about the racks and bins with piles of mail stacked on his lap. He is married with two daughters and three grandchildren.

Like Mr. Chituras, most of the 10 Outstanding Handicapped Federal Employees of 1973 successfully readjusted to life with their handicaps after previously normal lives. But Mrs. Icy D. Deans is one who has been physically disabled since birth; however, her performance proves that she was not born "disabled."

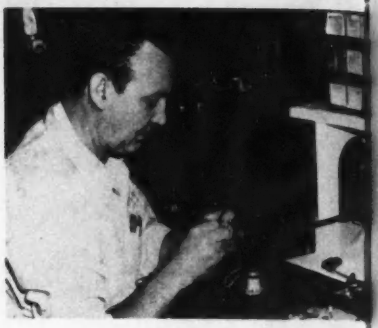
Mrs. Deans was born with one finger on each hand. Yet she types 60 words a minute and takes dictation in shorthand holding the pencil in both hands. In 1971 she began her career with the Federal Government as a GS-2 seasonal tax examiner trainee for the Department of the Treasury, but now is a tax examiner.

Mrs. Icy D. Deans and the other Outstanding Handicapped Federal Employees certainly attest to the astounding adaptability of the human species. At the same time, man's highly complex, interdependent society requires highly cooperative efforts. Few or none, handicapped or not, stand alone. Such cooperative efforts as the annual program honoring the accomplishments of the Outstanding Handicapped Federal Employees point up how well the handicapped respond when afforded the opportunity.

Perhaps as Senator Dole, himself handicapped by an injury to his right arm during World War II, quipped to the audience, "We think some of *you* are the ones who are handicapped, but have nothing to prove it."

Striking a serious note, Senator Dole stressed that in addition to providing greater financial benefits for the handicapped, the handicapped must be trained to become self-sufficient.

BELOW LEFT, Robert L. Bates; directly below, John R. Stodgell.



"Each of our handicapped citizens," the Senator said, "must have the right to participate in the rewards and dignity that stem from self-support."

He also spoke of the plight of disabled Vietnam veterans. Senator Dole noted that among the 10 winners were disabled veterans of World War II. He expressed the hope that the Nation's employers will "actively seek out and offer the same opportunities to our disabled Vietnam veterans."

Senator Dole and Mrs. Jayne B. Spain, Vice Chairman of the Civil Service Commission (whose speech at the ceremony is featured on page 1), shared the podium and both congratulated each of the 10 recipients as they received citations.

Since the program's inception in 1968, 60 Outstanding Handicapped Federal Employees have been recognized.

A quote from Louis Adamic's *A Study in Courage* perhaps best summarizes the qualities personified by the winners over the years: "There is a certain blend of courage, integrity, character, and principle which has no satisfactory dictionary name but has been called different things at different times in different countries. Our American name for it is 'guts.' " #

Pay Comparability ...How Comparable?

by RAYMOND JACOBSON
Director, Bureau of
Policies and Standards
U.S. Civil Service Commission

NEARLY EVERYONE who has an opinion on the subject seems to agree that pay comparability between employees of the public and private sectors of our economy is a desirable end.

Not all, however, agree that the present system of determining comparability for Federal white-collar workers is fair to all the parties involved—employees, the Government, and the taxpayer.

By statute, public policy has established the concept of comparability with private industry as the guiding principle for setting Federal pay. Machinery has been established to keep the statutory pay systems in adjustment with private enterprise, and this machinery is working on a regular, ongoing basis. The major need at this time is to devote more attention to improvement and refinement of the comparability process without interfering with its continuing operation.

Several important developments serve to spotlight this need. In the past decade there have been numerous changes in the occupational mix of both the public and private sectors. Fringe benefits occupy a place of ever-increasing importance in relation to total compensation.

Employment in the non-Federal public sector has grown rapidly. And recent advancements in the field of salary administration point directly to the need for modernization.

And there have been criticisms, both vocal and considerable, arising from unions, business, and government research teams.

Arch Patton, Chairman of the Commission on Executive, Legislative, and Judicial Salaries, a recognized expert in the field of executive pay, has raised a number of questions. Among these are challenges to the occupational coverage used at the higher pay levels in the *National Survey of Professional, Administrative, Technical, and Clerical Pay* (PATC survey), and to the statutory requirement for the use of national averages and the setting of nationwide rates for jobs that are typically filled from local markets. He and some other critics feel that efforts to raise Federal white-collar pay to comparability have overshot the mark by a wide margin.

Unions, on the other hand, notably those represented on the Federal Employees Pay Council, allege that the system frequently operates to deny Federal employees adequate pay increases, especially the rank and file.

The entire subject is charged with emotion because of the huge stakes involved—a $17.8 billion white-collar payroll, plus the additional amount that each salary increase adds to the cost of fringe benefits. A 1 percent error can result in a difference of $178 million either way—overpayments, which cheat the taxpayer, or underpayments, which cheat the employee. The legal tie-in of military pay scales to the civilian pay adjustment more than doubles this fiscal impact.

The General Accounting Office is in the process of reviewing the Federal comparability system. The first in a series of GAO reports, issued last year, included a number of specific suggestions for improving the occupational coverage, scope, and methodology of the PATC survey. In addition to these specific recommendations, the GAO report urges that "The Director, OMB, and the Chairman, CSC, should give more emphasis to compensation evaluation and research and to timely changes in the white-collar pay-setting process."

How Comparability Grew

In view of what has gone before, it is not at all surprising that calls for change should be heard.

Over the past 12 years the method of determining Federal white-collar pay has evolved from a nonsystem of unstructured pay adjustment practices during the 1940's and 50's to a workable process of pay rate determination based on the rational principles of equity and comparability.

This evolutionary process has been aimed at achieving full pay comparability of Federal employment with private enterprise, establishing the Federal Government as a competitive employer while maintaining relative fairness both to Federal employees and the taxpaying public.

The principle of pay comparability was written into law in 1962. This principle held that salaries for Federal white-collar employees under statutory pay systems should be comparable with salaries paid in private enterprise for the same levels of work. Before that time there were no guidelines, no rational methodology to follow in setting Federal pay.

Prior to 1962, when political forces and fiscal considerations dictated the time was right, Congress would act, usually on recommendation of the President, to increase the salaries of the Federal work force. Other factors—such as changes in the cost of living, increases in productivity, and special concern for lower grade employees—also played a part in these decisions.

Pay adjustments were infrequent and usually inadequate. Pay relationships among the various grade levels were severely distorted and placed the Government at a serious disadvantage in recruiting competent employees, particularly in the middle and upper levels.

1957 Report

In 1957 a study on Federal civilian compensation, under the direction of James T. O'Connell, then Under Secretary of Labor, emphasized the need for reform. It recommended a nationwide schedule of pay grades, with adequate and uniform rate ranges within each grade, to be adjusted periodically, based on non-Federal rates.

This report was instrumental in establishing the idea of pay comparability. It led to intensive efforts over the following years by the White House, the Bureau of the Budget, and the Civil Service Commission (with major technical assistance from the Bureau of Labor Statistics of the Department of Labor) to develop a pay comparability system.

The Federal Salary Reform Act of 1962

In his budget message sent to Congress in January 1962, President Kennedy urged salary reform and adoption of the comparability principle as a basis for fixing and adjusting Federal salary schedules. The resultant legislation, the Federal Salary Reform Act of 1962, formally adopted the principle of pay comparability. In addition, the legislation emphasized the principles that there would be equal pay for substantially equal work and that pay distinctions would be maintained in keeping with work and performance distinctions.

An "appropriate annual survey" was also required by this 1962 law to provide information on pay in private industry for use in determining Federal white-collar salaries. This was the PATC survey, made each year by the Bureau of Labor Statistics for use in the comparability process.

The scope and content of the PATC survey are the responsibility of the Office of Management and Budget and the Civil Service Commission, supported by professional advice of the Bureau of Labor Statistics, which actually conducts the survey.

The survey's sample consists of approximately 80 selected jobs that are typical of various levels of work in the General Schedule pay system. It relates to all geographical areas in the continental United States (both rural and urban areas). It includes private enterprise establishments in manufacturing; transportation; wholesale and retail trade; finance, insurance, and real estate; and certain services. It includes establishments with 250 or more employees in manufacturing and retail trade and 100 or more employees in all other industries. In total, the survey relates to almost 30,000 establishments with a total of about 7½ million white-collar workers.

The Federal Salary Reform Act of 1967

The 1962 Act established the *goal* of comparability. The machinery established by this law, however, did not provide for executive authority to adjust pay scales (as had long been true for blue-collar workers). While the pay rates that would provide com-

parability with private enterprise pay were computed each year, in accordance with the principles in the law, the President's recommendation and the final congressional action were heavily conditioned by political and fiscal considerations.

Furthermore, the process of collecting information, computing salary rates, and full congressional action took so long that increases (when they came) were based on data typically about a year and a half old. As a result, while the pay situation was much improved, Federal salaries continued to lag considerably behind private enterprise rates during the early and mid-60's.

New legislation in the form of the Federal Salary Reform Act of 1967 provided for closing the gap then remaining between Federal and private enterprise salaries through a three-stage series of salary increases. These were designed to attain "full comparability" by July 1969, with an attendant reduction in the lag from about a year and a half to 1 year. The President was specifically directed by the Congress to make the necessary schedule adjustments by executive action without further congressional review.

The Federal Pay Comparability Act of 1970

The Federal Pay Comparability Act of 1970 restated the Federal pay-fixing principles of the 1962 law by providing that:

(1) there be equal pay for substantially equal work;

(2) pay distinctions be maintained in keeping with work and performance distinctions;

(3) Federal pay rates be comparable with private enterprise pay rates for the same levels of work; and

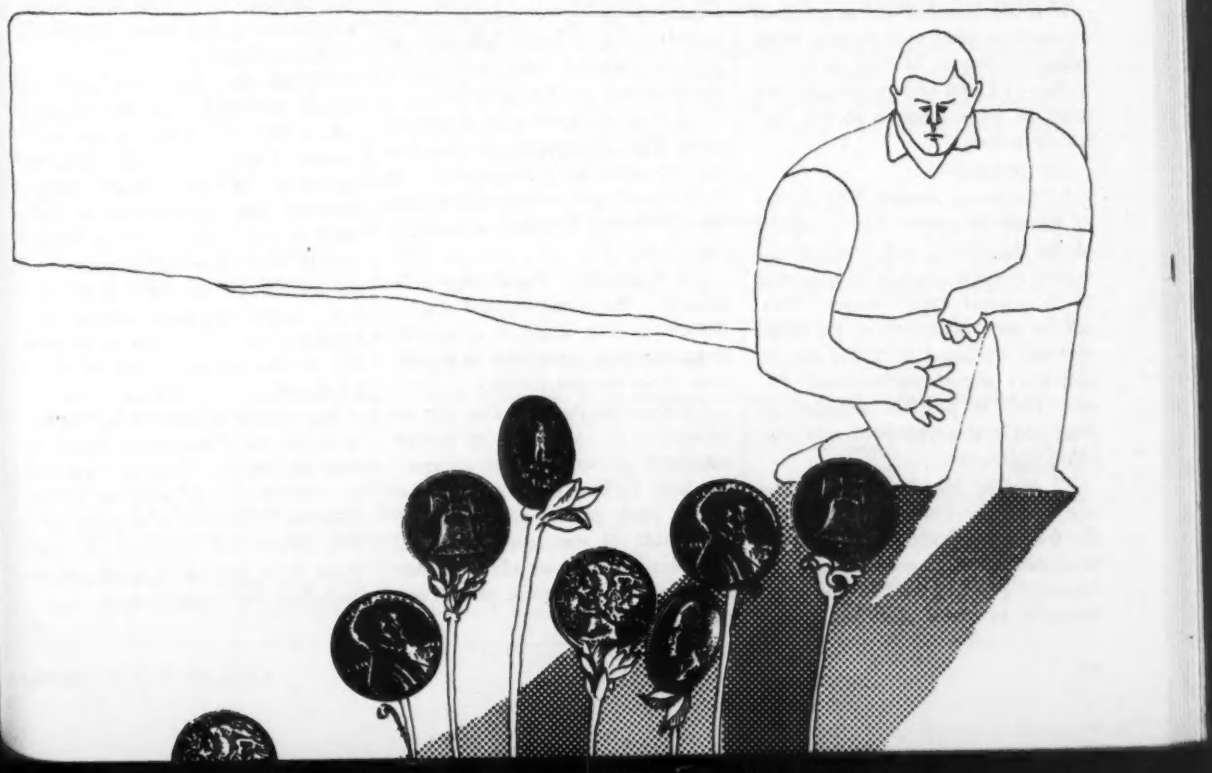
(4) pay levels for the statutory pay systems (the General Schedule and the schedules for the Department of Medicine and Surgery of the Veterans Administration and the Foreign Service of the Department of State) be interrelated.

The law also provided (as did the 1962 law) for an agent, designated by and reporting to the President, to make recommendations to him for appropriate pay adjustments. (The Chairman of the Civil Service Commission and the Director of the Office of Management and Budget now fill this role of agent jointly.)

In addition, the law provided for the first time for a Federal Employees Pay Council consisting of five representatives of employee organizations appointed by the President's agent, and an independent Advisory Committee on Federal Pay consisting of three pay and labor experts not otherwise employed in the Government and appointed by the President.

With these new mechanisms, i.e., the Council (to insure full consultation with employee representatives) and the Advisory Committee (to insure public interest representation particularly in case of disagreements between the agent and the Council), the Congress was willing to delegate to the President the authority to adjust the pay schedules to maintain comparability.

This delegation to the President also made it possible for the law to require a reduction in the lag between the survey and the pay adjustment to 6 months, a big gain from the 18-month lag that was typical in the



period of years from 1962 to 1967.

Using these tools of pay comparability—legislation, the PATC survey, the President's agent, the Pay Council, and the Advisory Committee—the process of keeping Federal pay comparable with that in private enterprise is systematically and effectively achieved on a continuous basis.

Research Projects

In view of the dynamic nature of the factors used in the comparability process, and recognizing the many recent criticisms, the Commission has decided to initiate a major expansion of research into issues associated with the comparability process. The Commission's Bureau of Policies and Standards accordingly has undertaken 12 major studies.

The results of these studies are expected to provide the information needed for decisions that may lead in two directions. One is toward administrative actions to increase the precision of the comparability process. The other is toward possible legislative proposals as more fundamental changes in the system seem to be needed.

It is also likely that this group of a dozen projects will uncover other areas of concern, leading to further studies as a part of a continuing program of basic research in pay and compensation.

The projects:

☐ *Scope of Annual BLS Survey of Private Enterprise Pay.* A review of the desirability and feasibility of various possible changes in the scope of the annual PATC survey. Plans call for an examination of industries presently excluded from the survey, minimum size-of-establishment cutoffs, and the possible inclusion of State and local governments and nonprofit institutions.

☐ *Making the Annual BLS Survey of Private Enterprise Pay More Representative Occupationally.* An intensification of ongoing efforts to improve performance in this area. Research to insure that occupations and grade levels represented will provide a fair and representative basis for drawing pay rate conclusions.

☐ *Pay Rate Determinations.* A review of mathematical procedures used in computation of comparability pay adjustments. Concentration on three areas: weighting of data, patterns of payline curves, and curve-fitting tests.

☐ *Linkage.* Pay schedules for the Department of Medicine and Surgery of the Veterans Administration and the Foreign Service of the Department of State are required by law to be related, or "linked," to the General Schedule. "Linkages" will be reviewed to assure that they are current and appropriate.

☐ *Study of Private Enterprise Pay Rates of Positions Equivalent to GS-14 through GS-18.* A two-part project: (a) a one-time study of pay rates of jobs equivalent to GS-14/18 in selected companies as a test of present job-matching and pay determination methods for those levels; and (b) research to develop methodology for the regular and continuing measurement of GS-14/18 equivalent occupational salaries.

☐ *Total Compensation Cost Model.* A study of the desirability and feasibility of a computerized cost model of the Federal work force to provide detailed cost information about Federal pay and benefits.

☐ *Total Compensation Comparability.* The advantages and disadvantages of maintaining comparability on the basis of total compensation (i.e., pay plus fringe benefits) rather than pay alone.

☐ *Alternative Pay-Fixing Approaches.* The feasibility and relative desirability of a variety of approaches to pay setting, considered as alternatives to the present method.

☐ *Premium Pay and Pay Administration.* (1) A review of private enterprise premium pay in comparison with Federal premium pay, and (2) a study of the possibility and desirability of restructuring Federal premium pay and pay administration to more closely resemble private sector practices.

☐ *Major Subsystems of the General Schedule.* The pros and cons of subdividing the General Schedule into two or more major components (such as the "exempt"/"nonexempt" Fair Labor Standards Act division used in private enterprise).

☐ *Locality Pay Systems.* An investigation of the possibility of locality pay systems for portions of the Federal work force now paid under the nationwide General Schedule.

☐ *Occupational Classification and Pay Systems.* Basic research on the possibility and desirability of regrouping Federal occupations for more equitable and efficient personnel and salary administration. Results expected: criteria useful for grouping occupations into one or more personnel and pay systems; a further understanding of appropriate spans of grades for a variety of occupational groupings; and additional information to insure the maintenance of appropriate grade distinctions.

As it functions today, the Federal pay comparability system has taken well over a decade to evolve. Throughout that period, emphasis was placed on the goal of bringing the salaries of Federal white-collar employees in line with salaries in private enterprise.

To this end, the process has been highly successful. But the dynamic nature of the process of pay comparability necessitates continuous reevaluation of the system's design, conduct, and implementation. We need to insure that the actual operation of the compensation policies of the Federal Government, as the Nation's largest employer, are fair and equitable not only to its employees, but to the taxpayers and to other employers.

The projects now being undertaken by the Commission focus on these objectives. They are designed to raise issues as well as answer questions. The work now being done very likely will become the first phase of a process of continual reevaluation and improvement.

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SPOTLIGHT ON LABOR RELATIONS

A continued leveling-off in organizing activity and a step-up in number and coverage of negotiated agreements were the major trends in Federal employee labor relations for 1973. And the statistics defining those trends come, for the first time, from the new, computerized Labor Agreement Information Retrieval System (LAIRS) in CSC's Office of Labor-Management Relations.

The LAIRS-compiled statistics confirm, as the previous year's survey of union recognitions and agreements indicated, that union organizing among Federal employees has reached a comparatively even level—crowning the dramatic growth in extent of exclusive recognition that marked prior years under a labor-management Executive order. The proportion of nonpostal Federal employees covered by exclusive recognition attained a record 56 percent as of November 1973, representing a 2-percent gain from a year earlier. In actual numbers, 1,086,361 nonpostal Federal employees were covered by exclusive recognition last November—compared with 1,082,587 in November 1972.

Some apparent reasons for the leveling-off in organizing activity are: (1) fewer employees left to organize, and (2) greater concentration by unions on consolidating gains than on seeking new units.

White-Collar, Blue-Collar, and Postal Activity

The leveling-off was evident even among white-collar employees, a group that in recent years has shown big increases in extent of union organization. Forty-seven percent (681,406) of all white-collar Federal workers were in exclusive units in November 1973, compared with 46 percent (655,498) in November 1972—a 2-percent increase over the year, on the heels of the 9-percent gain reported for the previous 12-month period.

The proportion of blue-collar Federal employees in exclusive units (84 percent) climbed by 1 percent between November 1972 and November 1973, although the actual number of employees covered dropped from 427,089 to 404,955 during the same period—reflecting continued cutbacks in the overall blue-collar force. The opposite situation obtained in the Postal Service where the number of employees in exclusive units rose from 604,660 to 614,554, while the proportion covered dropped from 91 percent to 89 percent.

Organizing, Bargaining Trends

The total number of exclusive units in the nonpostal Federal service increased by 94 last year, as against only 12 in the previous 12-month period—bringing the total as of November 1973 to 3,486, a 3-percent increase from November 1972.

The dramatic gains in 1973 came in number and coverage of negotiated agreements. Bargaining activity produced 210 new agreements, bringing the total up 12 percent to 1,904 (compared with a 3 percent rise in 1972). The number of employees covered by agreements jumped 11 percent to 837,410 (compared with a 7-percent rise in 1972).

Sixty-five percent of all recognitions and 43 percent of all nonpostal employees were covered by agreements as of November 1973. This placed 77 percent of those Federal workers in nonpostal units under negotiated agreements. (And the bulk of those remaining were concentrated in units where negotiations for agreements reportedly had gotten underway, according to other information provided to CSC independent of the annual survey.)

The latest recognitions-and-agreements census, titled *Union Recognition in the Federal Government—November 1973*, may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The LAIRS Prospectus

CSC's LAIRS system, which (as noted above) provided the Government-wide statistical summaries for the

"BIG SIX" NONPOSTAL UNIONS

Broken down by white-collar and blue-collar representation and by the percentage change in overall exclusive coverage over the year, the following table illustrates how the "Big Six" nonpostal labor organizations fared in 1973:

Organization	Blue Collar	White Collar	% of Change
American Federation of Government Employees	210,088	414,234	+1
National Federation of Federal Employees (Ind)	30,930	87,209	+3
National Association of Government Employees (Ind)	35,652	40,301	−8
Metal Trades Council	50,145	2,440	−8
National Treasury Employees Union (Ind)	.....	50,392	+8
International Association of Machinists	26,862	2,690	−3

1973 report on recognitions and agreements, is designed to provide labor relations information on a comprehensive basis. It is the end product of extensive research and development work by the Commission's Office of Labor-Management Relations and by the Bureau of Manpower Information Systems—research prompted by the identified need to harness the virtual explosion of labor relations information fueled by decisions emanating from the third-party review provisions of Executive Order 11491.

To accomplish this, CSC undertook an exhaustive reappraisal of established systems for gathering, analyzing, and retrieving the information necessary to furnish technical advice and information to Federal agencies under section 25(a) of E.O. 11491. In this, the Commission has been mindful of the added benefits that could be realized from a comprehensive information system, which also would help meet the section 25(b) responsibility—shared by CSC and the Department of Labor—for providing information appropriate to the needs of agencies, organizations, and the public.

LAIRS' data base furnishes the foundation of the system's capability to provide complete, detailed, and timely labor relations information services needed to meet the Commission's 25(a) and 25(b) responsibilities.

—Kathryn Ryder Hobbie

LEGAL DECISIONS LEGAL DECISIONS

More on Women and the Law— And Other Sex Discrimination

The United States Supreme Court has made some definitive pronouncements on what we noted in the last issue was the hottest area in the field of women's rights —disabilities surrounding pregnancy.

The Court has ruled that the mandatory termination provisions found in the maternity regulations of two school systems are unconstitutional. The school board of Cleveland, Ohio, required every pregnant schoolteacher to take maternity leave without pay beginning 5 months before the expected birth of her child. She was not allowed to return to work until the beginning of the next regular school semester that followed the date when her child attained the age of 3 months, at which time a physician's certificate was required.

The school board of Chesterfield County, Va., required a pregnant teacher to leave work at least 4 months prior to the expected birth of her child, allowing her to return upon presenting a certificate from her physician.

The Court held that both the Cleveland and Chesterfield County rules on beginning maternity leave and the Cleveland rule on returning to employment were unconstitutional on the basis that "overly restrictive maternity leave regulations can constitute a heavy burden on the exercise of these protected freedoms . . . the right to be free from unwarranted governmental intrusion into matters so fundamentally affecting a person as the decision whether to bear or beget a child." The regulations, the Court noted, created an "irrebuttable presumption of physical incompetency, and that presumption applies even when the medical evidence as to an individual woman's physical status might be wholly to the contrary." Each situation must be judged on its own merits.

The Court found the Cleveland return rules to be invalid in that the school board did not supply any reasonable justification for the mother to wait until her child reached 3 months for the rules to begin to operate, and the Court could see none. It was felt that the requirement of a physician's certificate adequately protected the school board's interest in this regard.

It is clear from this decision that any arbitrary cut-off date upon which a pregnant Federal employee would be required to take leave would be constitutionally impermissible. The Court was willing to accept, however, a requirement that the employee be obligated to provide notice substantially in advance of the anticipated leave.

While the Court does leave open the possibility of the employer setting a firm date for leave to begin, that date, which must be much later in the pregnancy than the 4 or 5 months involved in these cases, must be reasonable and the burden is on the employer to show that the cut-off point is actually a reasonable one. In fact, the Court is clear in rejecting "outmoded taboos" based on the date that the woman begins to "show." Rather, the entire decision hinges upon the Court's acceptance of the fact that pregnancy exists, that it is a temporary disability with restrictions imposed based on the actual disability involved in each individual case, and that "whatever may have been the reaction in Queen Victoria's time, pregnancy is no longer a dirty word."

The employer may require a doctor's certificate when circumstances warrant it, but here again, the requirement of such a certificate must be reasonable under the circumstances. Whatever provisions are made for maternity leave, they must be based upon requirements of the individual employee and not upon either outmoded ideas of "woman's place" or across-the-board assumptions of incapacity that are not medically provable.

Also on the subject of pregnancy disabilities, the Supreme Court for the State of Washington has declared unconstitutional a section of the Washington unemployment compensation statutes that disqualifies women from receiving unemployment compensation benefits during pregnancy.

The Court found that the statute discriminates against women on the basis of sex, refusing to accept the State's

arguments that pregnant women are not genuinely attached to the labor market, that employers are reluctant to hire women in the last stages of pregnancy, and that pregnancy is a voluntary condition. As to the latter point, the Court noted that "assuming arguendo that pregnancy is voluntary, this does not mean that unemployment resulting therefrom is necessarily voluntary. While a woman may wish to become pregnant, she may not, and often does not, wish to become unemployed as a result thereof."

An issue related to the broad area of sex discrimination that has presented some hairy problems for the courts is that of personal appearance, particularly of male employees. Several challenges have been made to employer regulations limiting the length of hair or the presence of beards and/or mustaches on male employees on the ground that the regulations unfairly discriminate against men.

In a recent decision, a postal employee contested his removal on the ground that it was based on the length of his hair, which would constitute an illegal discrimination on the basis of sex. The court noted that "there is little doubt that a standard of personal grooming which would prohibit only men from wearing their hair long (absent other factors) would constitute sex discrimination." The court found, however, that the length of plaintiff's hair was not the reason for his discharge.

There is a distinct difference of opinion in the courts on this question, which is exemplified by diametrically opposed decisions of two courts of appeal.

In *Willingham* v. *Macon Telegraph Publishing Co.*, the issue was whether an employer's grooming code requiring male job applicants to adhere to a hair style different from that required of female job applicants constituted sex discrimination in violation of the Civil Rights Act. That Georgia court said it did. The plaintiff claimed he had been refused employment in the retail advertising department of a local newspaper solely because of his shoulder-length hair. The company claimed the plaintiff's hair length would be offensive to its advertisers and customers and would injure its goodwill throughout the community.

The court found that if the company could prove an adverse community reaction, they might be able to justify the differing grooming standards for men and women as a bona fide occupational qualification.

In a completely different point of view, the Court of Appeals in the District of Columbia held in *Fagan* v. *National Cash Register Co.* that it was not unreasonable for an employer to have differing grooming standards for male and female employees, and that Congress never intended to permit an employee to set in motion the machinery of the Act "merely because he wishes to wear his hair longer than the company rules prescribe." The court also noted that company rules to further a policy of obtaining public acceptance are reasonable exercises of managerial responsibility.

Particular attention has been paid to grooming regulations in dealing with members of police and fire departments.

In a challenge to an Omaha Police Department regulation regarding the permissible length of hair and mustaches and forbidding beards, the court noted that "projecting a 'neutral' appearance, because of its relationship to the effectiveness of the police officer and the respect of the public, outweighs the police officer's desire to assert his individuality by identifying with a particular segment of society through his hair length or style."

A New York court, however, found some merit in the argument that similar regulations regarding the Suffolk County Police Department were invalid. That court found a genuine issue in whether the government may interfere with the physical integrity of the individual and require compliance with its standard of personal appearance. The court held that any such right must be justified by a legitimate State interest, and the burden was placed on the Police Commissioner to show such an interest.

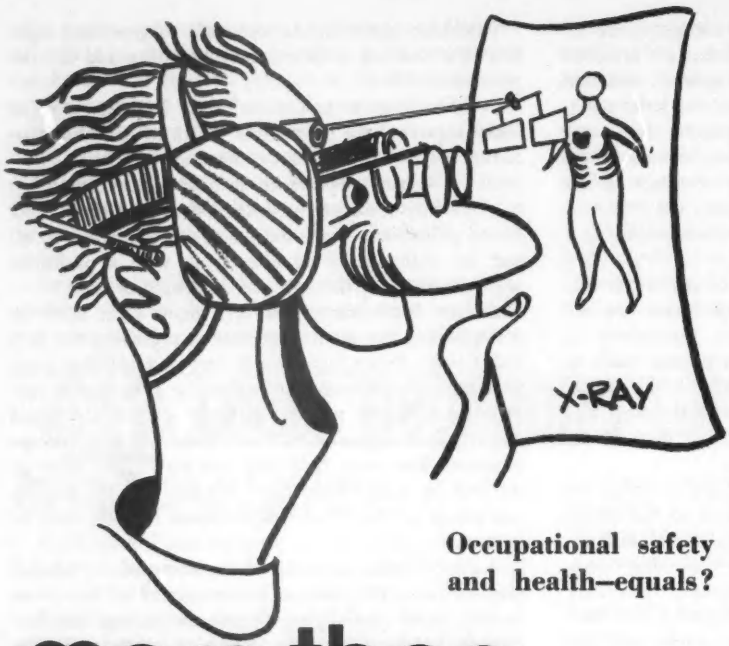
A Philadelphia court found the firing of a Philadelphia fireman on the basis of the length of his hair to be invalid, based partially on the court's feeling that firemen do not have the same degree of contact with the public as policemen.

Not only hair, but also mustaches and beards have fallen victim to the employer's scissors. A court in Florida found that an ambulance service was within its rights in firing two employees for refusing to shave beards and mustaches that were against company policy. That employer had no policy on hair length, and because only men grow beards the court found there was no discrimination based on sex. And finally, a Mississippi court found that "a high school grooming regulation which limits the length and style of an adult teacher's hair, including his mustache, goatee, or beard, is irrelevant to any legitimate State interest."

As this three-part series has shown, the courts increasingly have been struggling with challenges to statutes, regulations, and even societal mores that have placed both male and female employees in long-standing molds and have insisted they remain there. If one thread runs clearly throughout this area, in which there is far from unanimity from court to court, it is that these traditional ideas of a man's or a woman's place can no longer be assumed: they must be proven.

If society seeks to limit the incumbency of a particular job to one sex, if it wishes to place limitations on the working time or receipt of benefits of pregnant women, if it wishes to oversee the length of a male employee's hair or his wearing of a beard, then society also must show a reasonable State interest or compelling business necessity.

We have been served notice by the courts that sex discrimination by law or employer fiat no longer will escape rigorous judicial review. —*Sandra Shapiro*



Occupational safety and health—equals?

more than aspirin and band-aids

by HARVEY REHN

WHAT DO WE MEAN by an occupational health program, and what is the Commission's role in it? Where does an occupational safety program fit in? These are questions of tremendous importance to every Federal manager. Now for some answers.

Simply, the term "occupational health program" can be defined as a program, provided usually by management, to deal constructively with the health of employees in relation to their work. The purpose of occupational health is to bring about and maintain the highest level of physical, social, and mental well-being of workers in all professions; to prevent any hazard to health due to working conditions; to afford on-the-job protection against risks arising out of agents hazardous to health; to place and employ the worker according to his physiological and psychological aptitudes; and to adapt work to man and man to his work.

Many people raise the question "Why is the Civil Service Commission concerned with occupational health?" My answer to that could be summed up in the single word "practicality." From the standpoint of practicality, one of the great needs in both industry and government today is improved health of workers.

It is most unfortunate but true, nevertheless, that many employers still think of health programs for workers as a humanitarian objective. They think of such programs in terms of goodwill, loyalty, cooperation, incentives, and social-mindedness. They do not think of such programs in terms of good business practice, in terms of greater efficiency, in terms of conserving a most valuable resource—manpower.

A Profitable Investment

Yet absenteeism is a costly factor; fatigue is a costly factor; accidents are costly factors; and these, among many others, are factors definitely and directly related to employee health. And this suggests with rather conclusive proof that poor occupational health is a distinct liability, whereas good occupational health is a distinct asset. To put this another way, these programs are a profitable investment, which have as their justification economic rather than strictly humanitarian considerations.

No Federal agency would install expensive machinery and just let it run until it broke down or wore out—not if they wanted to stay in existence. Maintenance is of the greatest importance—expert, continuous maintenance. I offer that as a simple definition of occupational health programs: "expert, continuous maintenance" of our most valuable equipment—people.

It is not good business to wait until that little squeak becomes a loud rattle and then a resounding crash—and a costly item of equipment has to be replaced; when timely attention to the squeak—a little grease or a minor adjustment—would have prevented further trouble.

It is just as costly, and therefore just as bad business, to replace experienced personnel when timely attention to their small symptoms could have prevented permanent breakdowns.

We can carry this comparison as far as you like. Poorly maintained machinery, though still running,

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REPRINTED from a speech delivered by Mr. Rehn before the Federal Safety Conference of the 61st Annual National Safety Congress in Chicago, Ill. Mr. Rehn, then CSC's Assistant Director for Health, is now Associate Chief of the Commission's Office of Program Review and Audits.

does not function efficiently or economically; and similarly, employees whose health is below par cannot be as productive as if they were in vigorous health.

So to more directly answer the question of why the Civil Service Commission is in the occupational health business, I would respond by saying this. We are the central personnel management agency for the executive branch, and concern for the well-being of the work force is a very practical and important element of personnel management. I don't pretend for a moment, though, that the Civil Service Commission is tackling this issue alone.

Interagency Cooperation

Federal agencies have been authorized to provide health service programs to their employees since as far back as 1946. Little was done in this area until 1965, however, when the Bureau of the Budget issued Circular A-72. This Circular gave the Civil Service Commission a new leadership responsibility in the area of employee health activity. This responsibility is shared with the Department of Labor, General Services Administration, and the U.S. Public Health Service.

I think you will be better able to understand the Federal occupational health program and the interrelationship of these four agencies if we take a moment to discuss each of their program responsibilities.

The Public Health Service is responsible for carrying out several functions. One, they provide consultative services to agencies on occupational medical standards and methods. Two, they evaluate, upon request, agency health service programs in relation to their standards. And three, they operate employee occupational health programs for other Federal agencies on a reimbursable basis where mutually agreeable.

The General Services Administration is responsible for providing space and fixed equipment for occupational health services.

The Department of Labor has the responsibility to authorize medical and other services for employees who sustain personal injury or disease in the performance of duty. Second, they provide advice concerning the appraisal and elimination of health risks. And third, they promote accident and injury prevention programs in the Federal Government.

The fourth agency, the Civil Service Commission, is responsible for actively assisting departments and agencies to develop adequate occupational health programs; and to report annually to the President on the extent, costs, and results of departmental occupational health programs, together with an evaluation of those programs with appropriate recommendations for improvement.

As you can see, each of these four agencies has a specific role to play in the operation of the Federal occupational health program. Each agency's area of expertise is critical to the successful operation of the program. To achieve the goal of providing occupational health services to all Federal employees, these agencies must establish a cooperative working relationship.

I personally believe this cooperative working relationship has been achieved and is demonstrated in the current success of the program. At the present time, approximately 65 percent of the Federal civilian work force has access to some form of occupational health service. There are approximately 900 Federal health units presently in operation throughout the country.

The remaining 35 percent of the Federal population who do not have access to occupational health services are predominantly located in remote geographic areas with small employee populations. Experience has indicated that usually it is uneconomical to attempt to establish traditional health unit programs for these employees. Alternative methods for providing health services for

this employee population are being developed, however. In certain locations throughout the country, programs are already in operation.

These are very encouraging achievements and there are more that I could recite to you on the positive side. I believe, though, that we must be careful not to let this initial success result in complacency. There is still much to be done.

Stamping Out the First Aid Room Concept

If there is to be a real occupational health program in the Federal service it must focus on prevention—not on the aspirin and band-aids of the old-fashioned first aid room. In our opinion, preventive health is the essence of occupational health and we should be placing a high priority on stamping out the "first aid room" concept, which still seems to exist among a number of our Federal agencies.

By this time you may be asking yourself what services should an occupational health program provide? The Commission believes an adequate occupational health program should include:

☐ Periodic testing for the early detection of chronic disease or disorders, e.g., cancer, diabetes, hearing, vision, etc. I want to stress *early* detection since our goal is to identify diseases before they are symptomatic, costly to control, and most important, to minimize extended absences of an individual whose skills would no doubt be difficult and expensive to replace.

☐ Immunization programs (flu, tetanus, smallpox, etc.).

☐ Periodic medical examinations, especially of persons whose positions involve exposure to hazard or whose responsibilities include the public's safety.

☐ Referrals to private physicians for treatment of medical conditions which, if ignored, could become disabling.

☐ Treatments requested by private physicians such as administering periodic allergy medications to minimize absences from the worksite.

☐ Health guidance and counseling.

☐ Emergency diagnosis and first treatment of injury or illness on the job—which, in practice, is a distinctly different service from that of the first aid room, although first aid has a legitimate role.

☐ And finally, assistance in detecting and solving safety and environmental sanitation problems.

Link Between Occupational Health and Safety Services

In brief, this is what the Commission believes is an adequate occupational health program. As you can see from the services identified, we consider safety and environmental health to be an integral part of a Federal occupational health program. In fact, a definite interrelationship exists between safety and a number of the other occupational health services. Let's take a moment and look at some of these interrelationships.

One of the most obvious, of course, is the capability of the health facility to provide emergency treatment of illness or injury occurring on the job. The Office of Federal Employees' Compensation has authorized these health facilities to provide initial care to employees injured on the job. If the injury or illness is serious enough to need further treatment, the health unit will then use its referral capability and see to it that the employee is referred to the necessary hospital or physician.

The health facilities' screening and physical examination programs can be utilized to evaluate the impact of the employee's work environment on his personal health. Through these early disease detection programs, the severity of employee illnesses can be minimized and result in reductions in absenteeism and disability retirements, as well as minimizing accidents and injuries by identifying conditions that potentially can be a hazard to the employee or his coworkers.

The health facility can also serve as an excellent resource for agency safety officers in the distribution of informational material and development of safety educational programs.

There is even a relationship between employee counseling and safety. Here I am speaking particularly about counseling employees with alcoholism problems. Recent studies performed in this area indicate that employees with drinking problems, particularly during the early years of their problem, have twice as many on-the-job accidents as employees without a drinking problem. The Comptroller General has estimated that alcoholism among Federal employees may be costing the Federal Government, as an employer, as much as $550 million annually in payroll losses.

The Federal Government recognizes not only the seriousness of the alcoholism problem, but also the problem of drug abuse. To combat these problems, two major pieces of legislation have been passed over the last 3 years (P.L. 91-616 and P.L. 92-255), which direct Federal agencies to develop and maintain programs to combat alcoholism and drug abuse among Federal employees. In our opinion, safety officials have a definite role to perform in dealing with these kinds of problems.

So far in this presentation my remarks have largely centered on the Commission's occupational health responsibilities under OMB Circular A-72—a program that administers emergency treatment for on-the-job illness and injury, but in the preventive area focuses on early detection of nonoccupationally incurred illness which, however, can dramatically impair work performance.

Let me turn now to the occupational safety and health program for which the Department of Labor and the Department of Health, Education, and Welfare have responsibility. It has been well publicized and is well known that the Occupational Safety and Health Act of 1970 and Executive Order 11612 represent landmark developments so far as the well-being of the Federal employee

is concerned. Of course, you are fully familiar with safety as a function—and over the years you have found solutions to a host of problems that, if left uncorrected, can lead to traumatic accidents.

An interesting observation is that most of the workdays lost by Federal employees due to illnesses and injuries on the job are the direct result of accidents—failure to observe safety rules. What about the undetected and unreported illnesses stemming from, for example, radiation, gases, heat irritants, noise, etc., that exist in the industrial environment? This area is in my opinion the new frontier opened by the Occupational Safety and Health Act of 1970—the area that offers a real challenge to all of us who are concerned about safety and health.

The real challenge comes from the fact that there are many factors that are unknown about employee health. The line between nonoccupational illness and occupational illness is often unclear. Disease is sometimes slow in developing and the exact cause may be difficult to nail down. One thing is clear, though—that whether occupationally or nonoccupationally induced, disease and accidents can impair work performance, create potential safety risks, contribute to lost man-hours, and shorten careers.

One Can't Exist Without the Other

With the background offered in this presentation, I confess my inability to weigh the relative merits of safety and health. They are so intermingled, so interdependent, so focused on the well-being of the employee that the employee is the loser if one exists and the other does not.

There is the necessity for assuring the safety of equipment and the physical plant in relation to the worker; the necessity for assuring a clean and harmless environment; the need to identify hazards inherent in certain occupations and to design and administer protective equipment and medical monitoring to minimize harm to the employee; the need to educate the employee about his own personal health and to assist him or her in maintaining it to prevent accident and/or absence.

No one individual, whether doctor, nurse, safety engineer, or environmental hygienist, can do the complete job. It has to be a team effort. Beyond this, we need to develop effective ways to work cooperatively with other Federal agencies concerned with health and safety of Federal employees because no single agency can effectively tackle the problem alone. And above all, we need to motivate Federal management to establish as a priority goal the development of safety and health programs that will serve as models to all employers.

I would like to make one last point, and that is the Commission believes occupational health and occupational safety are not just equal, they are inseparable. The efficient operation of one program is dependent on the inclusion of the other.

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TRAINING DIGEST

First 25 for FEDP

Twenty-five top career officials have been chosen to participate in the first year of the Federal Executive Development Program (FEDP).

They are: Thomas Andretta, Department of the Treasury; Delores T. Battle, Department of Labor; Carolyn Betts, HEW; Harold A. Butz, Jr., Department of Transportation; Paul F. Castellon, DOT; Charles L. Dempsey, HUD; David L. Edgell, Labor; Maurice L. Fowler, Department of the Air Force; R. Michael Gall, Department of the Navy; Joseph W. Gorrell, Department of the Interior; Kenton B. Hancock, Navy; James P. Jadlos, General Services Administration; George W. Jett, Air Force; John D. Johnson, Treasury; Reginald M. Jones, U.S. Civil Service Commission; James A. Kennedy, Department of the Army; James B. Lancaster, Jr., OMB; Paul D. Mahoney, Army; Richard Michaels, Navy; Goetz K. H. Oertel, NASA; Donald S. Russ, Army; Robert W. Schmeding, AID; Wayne W. Sharp, Department of Agriculture; Richard A. Stimson, Defense Supply Agency; and Richard N. Vannoy, Water Resources Council.

Those chosen survived a rigorous selection process that consisted of direct individual application by 3,200 persons, agency review and nomination of 320 candidates, and selection of 100 semifinalists whose qualifications for the program were then assessed and ultimately reviewed by the Final Selection Board.

The Federal Executive Development Program, sponsored by the Office of Management and Budget in co-

operation with the U.S. Civil Service Commission, is a year-long developmental program featuring both educational and management experiences designed to prepare the participants for executive responsibilities. For the first group selected, the year began in early March with a specially designed training session at the Federal Executive Institute in Charlottesville, Va. The rest of the program year will consist of one or more developmental work assignments, individually planned to round out managerial experience and capabilities.

At the end of the program year, either the participants will return to their own agencies or seek employment opportunities in other agencies.

For further information about the program, call Nanette Marie Blandin, (202) 395-6917.

Seminar for Federal Managers

The Civil Service Commission is now developing a model course for persons entering their first Federal managerial positions. This 3-week residential course, Seminar for New Managers, will be included in the Commission's Executive Seminar Center program in Fiscal Year 1975. To be conducted initially at the Oak Ridge, Berkeley, and Kings Point Executive Seminar Centers, the course will be made available for agencies to conduct later in FY 1975.

Purpose of this seminar is to provide new managers an opportunity to learn managerial skills that are immediately needed to perform effectively in their new positions. This purpose will be accomplished by providing the manager opportunities to:

☐ Learn or sharpen performance-related managerial skills and knowledge.

☐ Broaden his or her perception of the role of a Federal manager.

☐ Develop a plan for learning how to become more effective in dealing with critical factors in the manager's agency work environment that strongly influence managerial effectiveness.

The Seminar for New Managers is being developed to assist agencies in preparing managers to meet the managerial knowledge and skills requirements set forth in FPM Letter 412-2, "Executive and Management Development."

The Commission has informed agencies that it is prepared to provide training for 1,600 managers in the Seminar for New Managers in FY 1975, if needed by agencies to respond to the Government-wide goal of improving managerial effectiveness.

Agencies have been advised to submit total projected managerial training needs for spaces in the FY 1975 Executive Seminar Center programs, as the Commission is committed to expansion of the programs if agency requests exceed the capacity of the three Centers.

For further information, contact Thomas Loftis, (202) 632-5600.

Course for Computer Programmers

The Civil Service Commission's ADP Management Training Center in Washington, D.C., is planning to conduct a special course for the deaf. The course, Systems Analysis for Computer Programmers, will be in session September 9-13, 1974. Probably the first such undertaking for the deaf in this field of study, it will differ from the regular offering only in that application is limited to deaf computer programmers and interpreters will translate the instructor's lectures and the students' sign language.

The course will familiarize participants with the five-phase approach to systems analysis and design and the detailed tasks required by each phase. On completion of this course, the student should be capable of applying proven systems analysis techniques and be able to resolve communication problems inherent in systems development projects.

The cost of the seminar—$250 per person—will be shared by the participating agencies. Experience in computer programming is a necessary prerequisite for this course. Computer programmers and newly assigned systems analysts (with programming experience) are eligible for nomination. Additional information can be obtained from the ADP Management Training Center, (202) 632-5650.

Managerial Effectiveness Seminar

A new program, Managerial Effectiveness Seminar, has been added to the curriculum of the Civil Service Commission's General Management Training Center in Washington, D.C. It responds to the needs of managers and executives for training designed to improve their on-the-job effectiveness and the productivity of their organizations. It is a useful program for men and women who are executives or who have been identified as having high potential for executive positions.

The Managerial Effectiveness Seminar provides managers and executives with tools and techniques to help them analyze on-the-job situations and identify the approach that may best be used to achieve a broader span of operational effectiveness. The program helps them identify key areas of their managerial jobs in which they need to obtain results.

The seminar is a 6-day, intensive learning experience based on modern theory. Few lectures are given; learning is dependent primarily on individual and group effort, with a minimum of instructor input. The program is conducted in a residential environment to facilitate learning.

You may obtain further information about the Managerial Effectiveness Seminar by calling the General Management Training Center, (202) 632-5671.

—Anthony J. Ryan, Jr.

Upward Mobility

Under Public Law 92-261, the Equal Employment Opportunity Act of 1972, Government agencies and installations are required ". . . to provide a maximum opportunity for employees to advance so as to perform at their highest potential."

While full utilization and development of employees have always been sound management practice, now it is the law. The Civil Service Commission, responsible for seeing that the law is implemented, requires agencies to provide for employee development and utilization as part of their EEO program planning process.

Commission instructions to agencies for the development of EEO plans require that the plans include action areas addressed to "full utilization of the present skills of employees," and "upward mobility efforts for employees at the lower levels." There is a distinction between employees who are underutilized, and those whose present skills are being fully utilized but who, with some help and encouragement, could learn to perform more difficult higher level tasks. Different approaches are needed to assist in the employment growth of each group.

The Commission defines the underutilized person as one who has prerequisite knowledge, skills, and abilities that are not being utilized by an agency. For full development of such persons, agencies should:

☐ Conduct surveys of underutilized or nonutilized employee skills that are available in the existing work force.

☐ Establish "skill banks" to match underutilized employees with available job opportunities.

☐ Review job qualification requirements to make certain that they are not unrealistically high in terms of the job to be done, and that they do not screen out lower level employees capable of performing the real functions of the job.

☐ Restructure jobs and establish entry-level and trainee positions to enable employees to utilize skills they already have and allow them movement among occupational areas.

While underutilization of employees is becoming less frequent, it still exists and needs to be corrected. Most upward mobility program activities, however, are aimed at employees who do not have prerequisite knowledge, skills, and abilities, but who have the potential to learn the skills needed to perform higher level work.

The law does not specify any minimum grade levels for upward mobility efforts, but these employees are generally concentrated below grade GS-9 in white-collar jobs or in equivalent levels under other pay plans. This is also where large concentrations of minorities and women frequently occur in the work force.

For upward mobility programs, the Commission requires agencies to do the following as part of their equal employment opportunity planning:

☐ Establish training and education programs designed to provide maximum opportunities for employees to advance so as to perform at their highest potential.

☐ Insure that agency job qualification standards do not constitute unwarranted barriers to upward mobility.

☐ Create career development plans for lower level employees who demonstrate potential for advancement.

☐ Establish personnel procedures and career systems to increase opportunities for advancement, training, and education for lower grade employees.

☐ Conduct positive programs of occupational analysis, job redesign, and job restructuring to provide new opportunities for entry employment, advancement, and bridges to higher grade jobs.

Experience has shown, however, that even though an agency develops equal employment opportunity plan items using the preceding guidance, such items are unlikely to produce positive results unless:

☐ They are assessed against current and projected agency manpower requirements so as to identify specific or restructured target jobs.

☐ Top management is committed to filling some appropriate manpower needs through upward mobility.

Also vital to a full range of upward mobility programs are a thorough communication system, a fair candidate-selection system, an ongoing employee counseling system, and a program-monitoring and reporting system.

Upward mobility is a major thrust of the Government-wide equal employment opportunity effort and is an area in which the President has expressed a keen personal interest.

While success of upward mobility efforts in Federal agencies is reflected in statistics that show increased upward movement of lower level employees, including minorities and women, into better paying and more responsible jobs, there is still a big job facing Federal agencies. Their best effort is required to assure there is fair opportunity for all persons to overcome past disadvantage and advance in accordance with their abilities.

—Rene Vawter

Advising the CSC on Blue-Collar Pay

by JEAN STEWART, Wage Specialist, Federal Prevailing Rate Advisory Committee

WHAT GOES ON in the Federal Prevailing Rate Advisory Committee may not be collective bargaining in a technical sense, but it is a close first cousin. This is because the Committee makes recommendations to the Civil Service Commission on policies and provisions that affect how much a plumber in Kankakee or a gas station attendant in Pensacola gets to put in his pocket.

The Committee is similar in structure and function to its predecessor, the National Wage Policy Committee. As was the case with the old Committee, the new one has five management and five labor members. The big difference is that the new Committee has a Chairman, who by law can hold no other Federal position. Current Chairman David T. Roadley, formerly of the Federal Service Impasses Panel, has a long history of work as a mediator.

The five agencies represented on the Committee in 1973 were the U.S. Civil Service Commission, the Departments of Defense, Navy, and Air Force, and the Veterans Administration. (On January 1, 1974, the Department of the Navy was replaced by the Department of the Army, which will be represented for 2 years. Rotation of the three military departments through the two seats on the Committee reserved by law to the military departments is by agreement with the Department of Defense, which by law has a permanent Committee seat.)

The five labor organizations represented are the Metal Trades Department (AFL-CIO), the International Association of Machinists and Aerospace Workers (AFL-CIO), the American Federation of Government Employees (AFL-CIO), the International Brotherhood of Electrical Workers (AFL-CIO), and the National Association of Government Employees (Ind). Managing the day-to-day administrative needs for the Committee is a staff that includes, besides the Chairman, the Committee Secretary, a wage specialist, and a secretary.

How the Committee Came Into Being

On August 19, 1972, the President signed P.L. 92-392, the Prevailing Rate Systems Act, thereby placing a comprehensive pay system for Federal blue-collar employees under statutory authority for the first time. The Act comprises the main features of the Coordinated Federal Wage System, which had been introduced and developed by executive authority. The system sets hourly pay rates for blue-collar workers based on wages paid for comparable work and responsibility in the private sector in the same labor area.

Shortly thereafter, P.L. 92-463, the Federal Advisory Committee Act, was enacted, adding some new obligations to the basic mandate found in 92-392. Specifically, these included provision of a charter, regular advance notices of meeting dates published in the Federal Register, and an annual report in the form of a statistical summary that is submitted to the Office of Management and Budget.

One of the requirements of P.L. 92-463 is that meetings of all advisory committees will be open to the public unless the head of the agency determines that open meetings would be contrary to the provisions of the Freedom of Information Act. On December 22, 1972, Chairman Hampton determined that all meetings of the Committee are closed under these provisions.

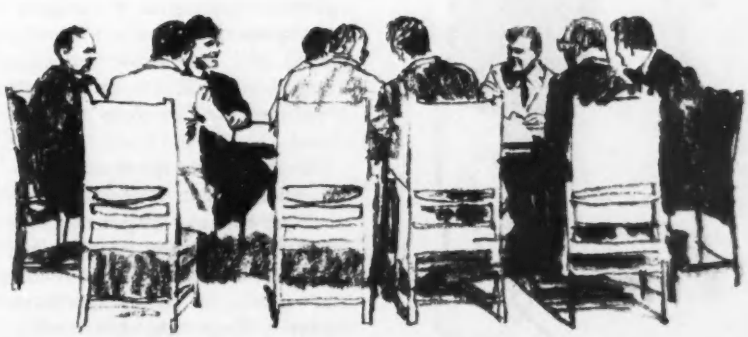
The Modus Operandi

Although the Committee has a formally adopted set of rules, the emphasis in the rules is on mutually acceptable procedures with a minimum of parliamentary technicalities. This highlights a main feature of Committee work—that is, a general informality and presumption of good faith on the part of all members.

In the normal give and take of Committee meetings, all aspects of an issue are aired and all viewpoints expressed. In many cases, items under discussion are settled sooner or later by consensus. These matters are forwarded to the staff of CSC's Bureau of Policies and Standards for implementation.

On other issues, the Committee may find itself at an impasse. Sometimes many concessions are made by both sides before an insurmountable barrier is reached. At other times, the nature of the question is such that no compromise is possible. When this happens, positions are stated, and the whole matter is voted either up or down. On occasion the Chairman may offer alternative concepts embodying parts of proposals already on the table. These are usually at least partly satisfactory to at least enough members to have it pass by majority vote.

When impasses occur, when members honestly feel they can move no further in the direction of agreement, then a resolution of the issue is arrived at by majority vote. The



results of the vote, along with an explanation of the background and the positions taken, are formulated by Committee staff into a formal recommendation. The recommendation is sent to the three CSC Commissioners for their decision.

Voting to break a tie represents one of the three hats the Committee Chairman wears in the course of Committee meetings. When tie-breaking becomes necessary, the Chairman acts as an umpire. He is rendering a final binding judgment. More frequently, the Chairman acts as a mediator, suggesting compromises and alternatives, sometimes shuttling back and forth between caucus rooms, all in an effort to help the two sides hammer out an agreement. Of course he also acts *as* Chairman, keeping the meetings running smoothly and according to the agenda.

Helping To Build a New System

A major new provision of P.L. 92-392 was the extension of coverage of the Federal Wage System to some 70,000 employees of nonappropriated fund (NAF) activities of the armed forces and employees of VA's Veterans Canteen Service, who are employed in recognized trade, craft, and laboring positions. They work in activities such as post exchanges, base recreational activities, and VA canteens. These employees previously had their pay set under a variety of methods developed by their employing agencies.

In extending Federal Wage System coverage to these NAF employees, the new law imposed two specific requirements for the fixing of their pay, which are different from the requirements for employees paid from appropriated funds.

The first is that the boundaries of the local wage area cannot extend beyond the immediate locality of their employment. By contrast, wage areas for appropriated fund employees are not under this restriction and tend to be much larger.

The second requirement is that the wages surveyed for the fixing of NAF pay rates must be limited to those paid by private employers to full-time employees in a representative number of retail, wholesale, service, and recreational establishments that are similar to those in which the NAF workers are employed.

This means that the types of private establishments surveyed to obtain NAF pay rates are generally different and are much more limited in variety than the types of industries surveyed for appropriated fund workers. These limitations reflect

the fact that the NAF work force is, in the main, different and far less diversified than the appropriated fund work force in its occupational makeup.

In essentially all other aspects, however, NAF employees and employees paid from appropriated funds are treated alike for pay purposes.

Since the NAF provisions of the new law meant developing an entirely new system, the Committee spent most of its first year of work discussing policy matters related to the NAF system. These deliberations led to a number of items settled by consensus, as well as several formal recommendations sent to the Commission. The end result was full implementation by the Commission of the Federal Wage System for NAF employees. (Instructions for administering the systems are found in FPM Supplement 532-2.)

Some of the key issues that arose during that time were the nature of NAF wage areas, which NAF employees were covered by the law, and which types of private establishments should be surveyed to obtain data needed to fix the pay of NAF employees who are covered by the new law. Another important matter concerned the application of the so-called Monroney provisions, which govern areas where private industry

has an insufficient number of comparable positions for the establishment of wage schedules and rates. Also settled were various matters concerning the grading system and the number of schedules that should be established.

The Committee also worked out by consensus a way to apply P.L. 92-392's new step-rate provisions (the establishment of five steps in each grade of all regular, nonsupervisory schedules) to NAF employees without having to wait until they could be put under the new system. Each area would become a part of the system only when the survey was completed and the new pay rates set. This process takes 2 years. So the Committee—labor and management together—helped to save NAF employees from what could have been a very costly delay.

Reviewing the Ongoing System

While the members may have sighed with relief once the NAF system was established and underway, it certainly did not mean that the Committee had run out of work. There are always plenty of issues and problems arising from the workings of the system for appropriated fund employees and also the implementation of the NAF system, as well as matters affecting both types of wage employees, to keep the Committee busy.

Since its inception, the Committee has dealt with many such issues. These include a problem that arose concerning what the appropriate pay rates for Navy inspectors should be, various issues growing out of the Economic Stabilization Program, and the matter of several wage areas whose boundaries needed to be changed so that enough private industry wage data could be obtained for setting Federal wage rates.

The committee also has spent time considering several proposals for new categories of hazard pay. There are many types of work for which the payment of a percentage differential has been approved because they are recognized as presenting unusually severe hazards. An agency or a labor union may recommend adding a new category if it thinks the type of work is so dangerous that extra pay is warranted. Such proposals must be brought before the Committee for action. (These hazard pay provisions apply to all employees covered by P.L. 92-392.)

All in all, the Committee has been successful to date in accomplishing its mission of helping to develop the NAF wage system and of taking needed action on matters concerning the ongoing system.

Above and beyond that, most would agree that the Committee is providing a useful forum for good labor-management relations. Both labor and management are talking and listening to each other, and both often make compromises in the continuing effort to reach mutually acceptable solutions. The challenge to the Committee for the future is to try to be even more productive, while maintaining a healthy bilateral climate.

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Adverse Actions

Imposition of new trial period for excepted employees

The appellant, a preference eligible employee in the excepted service, completed 1 year of current continuous service. Subsequently and without a break in service, he was appointed to a new position in the same line of work subject to the completion of a new "probationary" period. The appellant was removed because of "sub-minimal" performance during the newly imposed probationary period.

The Commission's first appellate level office held that since the employee was in the excepted service and was removed while serving a probationary period, the Commission did not have jurisdiction to adjudicate his appeal.

On further appeal the Board of Appeals and Review held that based on the facts and circumstances the Commission did have jurisdiction to accept and adjudicate the appellant's appeal notwithstanding the agency's imposition of a new probationary period; that the removal action came within the purview of 5 U.S.C. 7512 and part 752-B of the Civil Service Regulations; and that the agency failed to follow the mandatory requirements of the law and regulations in removing the appellant. The Board reversed the removal action and recommended the appellant's retroactive restoration to the position from which he was removed.

Equal Employment Opportunity

Corrective action

In this case, the complaint was over 180 days old when the complaints examiner forwarded his decision to the agency in which he had made a recommended finding of discrimination. The agency did not issue its decision finding no discrimination until after 30 calendar days had elapsed. Section 713.220(d) of the Civil Service Regulations provides that when the complaints examiner has submitted a recommended decision finding discrimination, and the agency has not issued a final decision within 180 calendar days after the complaint was filed, the complaints examiner's recommended decision shall become a final decision binding on the agency 30 calendar days after its submission to the agency.

The agency's decision was rescinded by the Board and the complaint was remanded for a new decision adopting the complaints examiner's decision and corrective action.

Not within purview

The complainant, a U.S. citizen working outside the continental United States, was employed as a noncraft towing locomotive operator, designated as a nonsecurity position. He stated that his duties were identical to those performed by other noncraft towing locomotive operators who were U.S. citizens and whose jobs had been designated as security positions. He contended, therefore, that as a result of the agency's failure to designate his position as a security position (a position that must be filled by a U.S. citizen), his rate of pay was lower than that of other U.S. citizens employed in security positions. The agency rejected the complaint as not within the purview of the Equal Employment Opportunity Act of 1972 (P.L. 92-261).

The Board stated that the EEO regulations, which had been revised in accordance with the EEO Act of 1972, cover, in part, complaints of discrimination on the basis of national origin (the nationality of one's ancestors). Complaints of discrimination based on citizenship or occupation are not within the purview of the regulations, and are not covered in the Act.

Since the record showed that the complainant's allegations of discrimination did not concern the nationality of his ancestors, but instead referred to his citizenship, the Board found that his complaint was not within the purview of part 713 of the Civil Service Regulations and, therefore, affirmed the agency decision.

Allegation of discrimination based on a projected reduction-in-force action

Complainant, a GS-11 personnel management specialist, received a reduction-in-force notice on November 17, 1972. Effective January 6, 1973, complainant transferred to another agency in lieu of separation by reduction-in-force procedures. On April 10, 1973, complainant learned that two trainee personnel management specialists, both male, had been promoted effective February 4, 1973, to GS-11 positions in the personnel office where she had previously been employed.

Contending that she had been discriminated against because she is a female, she submitted a formal complaint of discrimination dated April 23, 1973, to officials of the agency where she had accepted employment. These officials forwarded the complaint to her former agency, where it was rejected as being untimely filed because her formal complaint had been filed over 3 months after her transfer. The agency also advised the complainant that it was rejecting her complaint because the remedial action sought—general ameliorative action, rather than restoration to her former position—was not pertinent to her complaint.

The Board noted that the complainant did not have cause to believe she might have been discriminated against until she learned that two males had been promoted immediately following the lifting of a "freeze"

on promotion actions. Accordingly, the Board reversed the agency decision and returned the complaint for further processing and for a new adjudication.

The Board noted that the complainant did file her complaint within 13 days after she learned of the promotions, and it further found that the reason given by the agency with respect to the remedial action sought was not a proper one for rejecting the complaint. In this regard, the Board noted that relief in the form of general corrective action is frequently recommended in connection with discrimination complaints, even when the matter complained of is individual in nature.

Disposition of general (third party) complaint not appealable to BAR

Complainant, a GS-4 clerk stenographer, alleged in her formal complaint that she had been discriminated against on the basis of sex because of a regulation promulgated by her installation headquarters.

She maintained that the President, through the Office of Management and Budget, had directed executive departments and agencies to implement actions to control grade escalation, and that the regulations promulgated by her agency in response to this directive were intended to apply to all series of jobs. She contended that her installation headquarters, however, had issued a regulation intended to control grade escalation in only three series of jobs—clerk typists, secretaries, and clerk stenographers—and that this regulation was discriminatory because all of these jobs at her installation were filled by women. The agency investigated the complaint and found that the complainant had not been discriminated against on the basis of sex.

The Board found that allegations in the formal complaint were related to possible effects of the regulations, which the complainant considered to be discriminatory, rather than to an individual matter or personnel action that had affected her directly. Because the complainant had raised a general matter, rather than an individual matter, the Board decided that the complaint was not within the purview of the Board's appellate authority, as set forth in part 713 of the Civil Service Regulations. Accordingly, the Board declined to accept the appeal for adjudication.

Acceptable Level of Competence

Excessive delays in issuing reconsideration decision

The appellant was denied a within-grade salary increase based upon the determination that his work performance was not at an acceptable level of competence. The agency required a 22-month period to conduct the reconsideration proceedings. Section 531.407(d) of the Civil Service Regulations provides that in processing an employee's request for reconsideration, the agency shall use a uniform procedure that insures a prompt decision in writing by a higher level in the organization.

The Board noted that the appellant requested a reconsideration hearing four different times before it was finally granted, and that the agency's explanation for the delay was insufficient to justify the unreasonable delay. Accordingly, the Board found that the agency action was arbitrary, and reversed the withholding action.

Reduction in Force

Not within purview of reduction-in-force regulations

The agency appealed a decision of the Commission's first appellate level, which had determined that a Postal Service employee should have been accorded reduction-in-force procedures under part 351 of the FPM because her position was to be abolished and her separation or demotion was to follow.

On appeal to the Board, the agency contended that the employee, a nonpreference eligible, had no right to bring a reduction-in-force appeal before the Board in light of the Postal Reorganization Act. The Board agreed with this position and reversed the first appellate level decision by holding that the appeal was not within the Commission's appellate purview. The Board concluded that the Postal Reorganization Act did not contemplate the application of retention preference rights to nonveteran employees of the Postal Service.

Reemployment Priority List

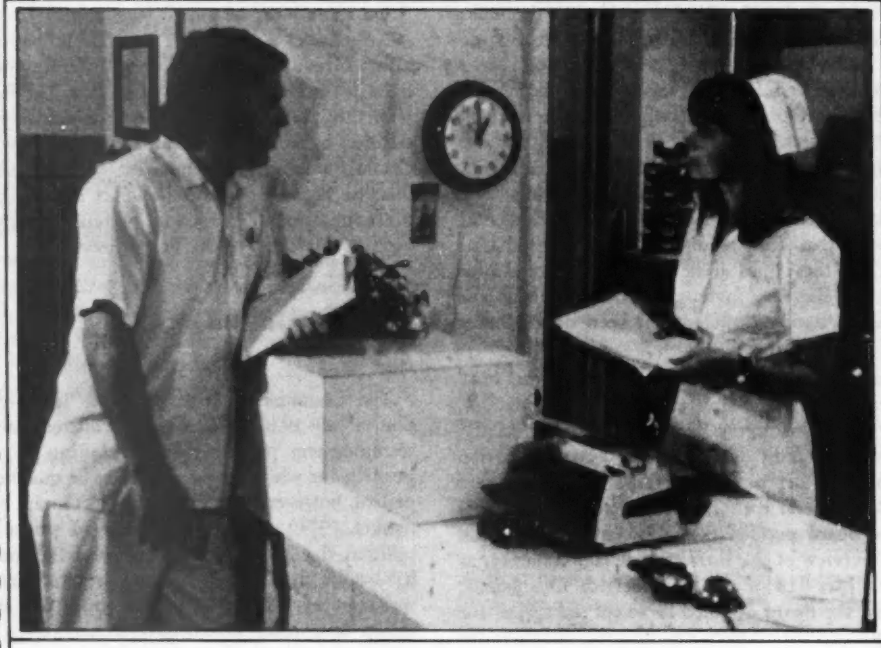
Corrective action

The Commission's first appellate level office found that in July 1970 the agency had violated the appellant's reemployment priority rights by failing to offer him a position for which he was found to be qualified. The appellant, however, subsequently had been appointed (December 1971) from a reemployment priority list to a position at a higher grade level, and the first appellate level office determined that no further corrective action was required. The appellant contended that the first appellate level office should have recommended that he be reinstated retroactively to the position to which he previously was denied reemployment rights.

The Board concurred in the findings of the first appellate level. Civil Service Regulations do not provide for the retroactive reinstatement of an employee whose reemployment priority rights have been violated. Such remedies as are available under the Regulations are prospective in nature. Since the appellant already had been reinstated in a higher level position, no remedy was available with respect to the July 1970 violation of appellant's reemployment priority rights.

—William P. Berzak

NEW FILMS FOCUS ON LABOR RELATIONS



by SUSAN CLARY
Associate Director
Labor Relations Training Center
U.S. Civil Service Commission

BARGAINING, GRIEVANCE, ARBITRATION. These are the subjects around which three new films have been built. Spotlighted on pp. 28-30 are selected scenes from the films themselves.

THREE NEW FILMS are available to acquaint Federal and public sector managers and other interested audiences with the problem-solving methods of collective bargaining.

The Civil Service Commission's Labor Relations Training Center produced the films, which will be used by CSC interagency training centers and may be purchased or rented by agencies and labor organizations for use in their own training programs.

The films deal with the processes of negotiation, grievance handling, and grievance arbitration. These procedures are explored to determine their function, conduct, and impact. Basic principles of these collective bargaining mechanisms are presented, as well as those issues of special importance to Federal and public sectors.

Negotiation

"At the Table" (16 mm. color/sound, 46 minutes) depicts the negotiation of a Federal labor-management agreement. Management and union negotiators deal on issues of importance to employees in the bargaining unit.

The film is particularly timely in its portrayal of the parties' ability to agree on measures to cope with employee problems without violating the non-negotiability of management's retained rights. Bargaining tactics and techniques are explored through a narrator's critique of the parties' conduct at the table.

This film was produced in cooperation with the Department of the Navy's Office of Civilian Manpower Management, which supplied the original script and the actors.

Handling a Grievance

"Anatomy of a Grievance" (16 mm. color/sound, 23 minutes) focuses on the processing of a grievance through the steps of a typical negotiated grievance procedure.

The grievance concerns interpretation and application of a contract clause providing union stewards with a "reasonable" amount of official time for investigating and processing grievances. A supervisor's decision that one steward's use of 40 percent of his time for union business is unreasonable occasions the filing of a grievance; the grievance is followed through each step of the grievance procedure from the first informal step to the final step prior to arbitration.

The important issues of documentation, supervisor-steward relationships, management rights, and management response are explored.

Arbitrating a Grievance

"The Arbitration of a Grievance" (16 mm. color/sound, 33 minutes)

is a sequel to "Anatomy of a Grievance" and follows the same grievance (over the interpretation and application of the agreement clause on official time for stewards) through the process of binding arbitration. Techniques of preparation and presentation before an arbitrator, and the procedures and impact of arbitration are depicted.

"Anatomy of a Grievance" and "The Arbitration of a Grievance" may be shown together or separately. Both films may be role-played or handled through guided discussion with materials and questions in the Discussion Leader's Guides that accompany the films. A Discussion Leader's Guide will be supplied with each purchase or rental of a film.

The films may be obtained by writing:

National Audio-Visual Center
General Services Administration
Washington, D.C. 20409
Attention: Sales Branch
[if a purchase]

or

Attention: Distribution Branch
[if a rental]

Schedule of prices:

"Anatomy of a Grievance"
Purchase, $87.50
Rental, $10/3 days

"The Arbitration of a Grievance"
Purchase, $120.75
Rental, $15/3 days

"At the Table"
Purchase, $156.25
Rental, $17/3 days

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INTERGOVERNMENTAL PERSPECTIVES

The Declaration of Policy of the Intergovernmental Personnel Act of 1970 states in part, ". . . effective State and local governmental institutions are essential in the maintenance and development of the Federal system. . . ." The Act goes on to authorize the U.S. Civil Service Commission's Bureau of Intergovernmental Personnel Programs to help State and local governments strengthen their personnel management capacity through programs of grant-in-aid, training, and reimbursable and nonreimbursable technical assistance.

The Commission, by means of direct and indirect technical assistance programs, helps State and local governments help themselves in achieving more effective government.

Direct technical assistance, carried out from the grassroots level—through Commission area and regional offices—to the national level, includes helping State or local governments to improve merit system laws, EEO activities, and classification and pay studies; to develop appeals procedures; strengthen their personnel systems; and build their training capacity.

Indirect technical assistance offered from the central office to State and local governments includes the publishing of guide materials.

The current interest in job analysis is particularly important in view of the U.S. Supreme Court decision in the *Griggs* v. *Duke Power Co.* case. In a nutshell, the decision places on the employer the burden of showing that any given qualification requirement is job related.

Job analysis is the systematic process of collecting and making certain judgments about all pertinent information relating to the nature of a specific job. It is important because it gives the manager a clear understanding of what makes up a job, what a worker is responsible for doing, and what is needed to accomplish the job.

It is through proper job analysis that a dependable base can be provided for recruiting, selecting, placing, training, advancing, and compensating employees. More than this, though, job analysis is the basis for objective, nondiscriminatory selection for employment, and it is a major component of affirmative action efforts for equal employment opportunity.

Two recent publications covering this subject—*Job Analysis—Key to Better Management* (BIPP 152-32) and *Job Analysis—Developing and Documenting Data, A Guide for State and Local Governments* (BIPP 152-35)—are excellent examples of indirect technical assistance offered to all governmental jurisdictions to aid them in helping themselves.

The first, *Job Analysis—Key to Better Management,* is a booklet stressing the "what" and "why" of job analysis. Written in a question and answer style, it is a fast-moving, clear discussion of the subject.

The second publication is geared to providing guidance for State and local governments in developing job information through job analysis.

Evaluation of personnel operations is another area where guides have been issued. The most recent, *Guidelines for Qualitative Evaluations of Personnel Operations for State and Local Government Officials in Conducting Self-Evaluation of Their Personnel Operations* (BIPP 152-36), has as its main purpose that of helping State and local governments develop more effective merit-based personnel systems.

State Salary Survey (BIPP 152-33) is another publication designed to be used as an effective management tool by State and local governments. This publication is a survey of salary ranges for 100 State Government job categories. It is programmed as an annual publication to assist States in establishing pay systems consistent with other States, and thereby providing equitable and adequate compensation for like positions.

Future publication of special editions will include a collection of personnel laws from throughout the country, which can be used as examples for other jurisdictions to follow.

Aside from special publications, the Bureau's Personnel Management Information Service publishes *Summary Reports on IPA Products and Projects,* which come out on an as-needed basis. These reports summarize IPA grant projects and products, and in the past have covered such topics as test validation, compensation, EEO, and recruitment and examining.

The Bureau's newsletter, *Intergovernmental Personnel Notes,* is an ongoing publication that covers items of current interest in the field of personnel administration and keeps the reader informed on the current status of all IPA programs.

Other publications available from the Bureau include:

—*Equal Employment Opportunity: A Guide for Affirmative Action* (BIPP 152-5).

—*Intergovernmental Cooperation Through the IPA* (BIPP 152-12).

—*Opportunity for All, Changing Personnel Systems Under the Emergency Employment Act of 1971* (BIPP 152-17).

—*The IPA Title IV Intergovernmental Assignment Program—1973 Report.*

—*Improving Opportunities for Employment of the Disadvantaged in State and Local Governments, a Guide for Effective Action* (BIPP 152-26).

For a copy of these publications, write: Bureau of Intergovernmental Personnel Programs, U.S. Civil Service Commission, 1900 E St. NW., Washington, D.C. 20415, or any of the Commission's 10 regional offices.

—*Lea Guarraia*

SIX FEDERAL WOMEN WIN TOP AWARD

by MARIE B. ROBEY, Office of Public Affairs, U.S. Civil Service Commission

"But no one can evade the fact, that in taking up a masculine calling, studying and working in a man's way, woman is doing something not wholly in agreement with, if not directly injurious to, her feminine nature."
—Carl Jung

"The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life."
—Supreme Court, 1873

"A wise woman is twice a fool."
—Erasmus

THE CANCER RESEARCHER, speech pathologist, library automation expert, international lawyer, pediatrician, and foreign service officer who are the recipients of the 1974 Federal Woman's Award more than disprove the above quotations. They are recognized for their outstanding work in fields not traditionally labeled "woman's work." They are competent Federal employees who have reached the top of their respective fields, and each *can* be labeled "quite a woman."

Mrs. Jayne B. Spain, Chairman of the Board of Trustees of the Federal Woman's Award, presided at this year's awards banquet at the Shoreham Americana Hotel in Washington on March 5th.

As in past years, there was no featured speaker at the banquet. Instead Mrs. Spain presented each winner to the audience, and the official escorts of the winners read their citations. Each woman then gave a brief acceptance speech and was presented with a leather-bound copy of the citation and a bronze medallion encased in lucite. These were the gifts of Woodward and Lothrop, Inc., which traditionally sponsors the Award program.

Mrs. Spain presented five of the winners to President Nixon at the White House on March 7, and they talked for more than half an hour.

HENRIETTE D. AVRAM is an information systems analyst who is Chief of the MARC Development Office of the Libary of Congress. She is recognized as the leading international authority in the field of library automation, and has developed a standard format for the exchange of bibliographic records in machine-readable form. This is called the MARC (*MA*chine-Readable Cataloging) format, and will make possible the automatic sharing of information on the identification, description, and location of books throughout the world. Similar projects in Australia, Canada, England, France, Italy, Japan, and the Scandinavian countries have been stimulated by her work, and Mrs. Avram is currently involved in the development of international standards for bibliographic description, content designators, and character sets. The MARC format has made the Library of Congress the acknowledged leader in library automation standards.

Cited for her "outstanding leadership in the application of computer technology to libraries," Mrs. Avram stated that automation in libraries offers the potential of "new services, more timely services, and the sharing of services," and that she has been "most fortunate to have been able to contribute something to this effort."

EDNA A. BOORADY is an attorney who is the Regional Legal Adviser in Southeast Asia for the Agency for International Development. Her duties include representing U.S. Government interests in litigation and settlement of claims and disputes arising out of AID programs, primarily in Thailand but also for AID missions in Laos, Cambodia, the Philippines, and Indonesia. Her experience in AID legal matters has ranged widely over the activities of the agency. During her association with AID she has drafted and substantiated legislative changes needed for the administration of AID's economic development programs, provided legal advice and assistance to the senior managers of AID programs, and worked closely in developing the agency's multilateral and bilateral agreements. Miss Boorady began in the Government as a Junior Stenographer at a salary of $1,440 a year.

She says that although she felt "many opportunities were open to women in Government," in order to properly compete for these opportunities she also had to qualify, and so she quit work and went to college and law school. Her citation read: "Imaginative, articulate, posi-

ON THE PAGE OPPOSITE is the winners' circle of 1974 Federal Woman's Award recipients. ABOVE, five of the six Award winners pose with President Nixon during their visit to the White House. From left to right: Dr. Brigid Leventhal, Dr. Madge Skelly, President Nixon, Mrs. Henriette Avram, Mrs. Gladys Rogers, and Dr. Roselyn Epps.

tive in approach—she serves her country abroad with proud distinction."

ROSELYN PAYNE EPPS, M.D., is a pediatrician and administrator of a model program of community health services for the District of Columbia. Dr. Epps gave up private practice to join the D.C. Department of Public Health as Medical Officer in 1961, and has been Chief of the Division of Maternal and Child Health since 1971. Throughout her career in the Bureau of Maternal and Child Health she has paved the way for acceptance of new ideas and expedited change. Her work is particularly noted for her managerial style emphasizing a team approach to problem solving as opposed to one-person rule. She is credited with a "unique management style, combined with a deep interest in giving of herself through scientific research and writings and through community involvement at all levels."

In accepting her award Dr. Epps stated that true recognition, ultimately, is an inner accomplishment. "If one is conscientiously working toward her highest ideals, a sense of fulfillment is sure to follow." She added, "It becomes apparent as we try to solve the medical and social ills of our nation that despite the necessity for individual efforts, it is the *combined* and *concerted* efforts of *many* individuals that will ultimately make a difference."

BRIGID GRAY LEVENTHAL, M.D., is a physician who is recognized as one of the world's leading experts on acute leukemia. Presently the head of the Section of Chemo-Immunotherapy in the Pediatric Oncology Branch of the National Cancer Institute, she was among the first to recognize that high doses of chemotherapy could substantially prolong the lives of leukemia patients. Dr. Leventhal has made numerous contributions in laboratory research, clinic management, and teaching, and she has recently completed three major studies using chemo-immunotherapy. In addition, she has made numerous contributions in other areas, such as working on the problem of meningeal leukemia, organizing the computerization of clinical data, assuming total responsibility for directing the outpatient clinic, and participating actively in the clinical teaching program. She was recognized at the banquet for "her widely honored scientific and clinical accomplishments, combined with her compassion and understanding, [which] have made an invaluable contribution in the search for a cure for leukemia."

Dr. Leventhal ended her speech by saying: "I hope that these awards will continue to do their part to remind the public not only of the signal achievements of the few, but also of the day-to-day efforts and consistent dedication of our many devoted public servants. We are proud to be appreciated."

GLADYS P. ROGERS is the Special Assistant to the Deputy Under Secretary for Management in the State Department. She began her Federal career with the Office of Emergency Management and worked for a number of international organizations and as a self-employed consultant before joining the State Department in 1960 as a senior management analyst. Her accomplishments in the State Department include developing a program to improve the overseas administrative support capability, playing a decisive role in the development of the Country Director concept, and serving as the first woman member of the Inspection Corps, which evaluates the Department's operations overseas. She has also played a highly significant role in organizing and staffing the Departments of State, and, as the Special Assistant for Women's Affairs, she designed a wide-ranging program to improve the status of women in the Department and the Foreign Service.

MRS. JAYNE B. SPAIN, Chairman of the Federal Woman's Award, presides over the banquet.

MRS. JULIA M. LEE, Vice President of Woodward and Lothrop, at the Awards banquet.

DR. LEVENTHAL—"We are proud to be appreciated."

She has been instrumental in obtaining several "firsts" in the assignment of women to jobs that were previously closed to them, sparking a program to enhance the prestige and developmental opportunities of secretaries, and designing a sound internal public relations program alerting all women to their rights. She was recognized for her "leadership in establishing improved administrative management in the Department of State."

"I have a vision," Mrs. Rogers declared, "that perhaps sometime in this decade—when instead of someone like me standing on this rostrum, an equally modest and grateful man will be accepting an equal employment opportunity award. And among the distinguished escorts there should be several of the highly qualified women who even today provide outstanding leadership to Federal programs."

MADGE SKELLY, Ph.D., is a speech pathologist and Chief of the Audiology and Speech Pathology Service of the Veterans Administration. By her clinic research she has contributed innovative approaches to patient treatment, such as compensatory speech for those whose tongues have been excised, gestural language for the speechless based on American Indian Sign, and kinetic communication for the blind patient who is also deaf. She is responsible for initiating the clinic at the St. Louis VA hospital and has donated time and expertise in assisting seven local hospitals in establishing clinics. Before she began her Federal career Dr. Skelly was a nationally known professional actress, director, playwright, and newspaper correspondent, as well as a college teacher. She appeared in hundreds of featured roles on stage, radio, and TV, and has written 20 full-length plays. In 1962 she earned a Ph.D. in speech pathology and embarked on a new career. She was cited for "her unique combination of talents and abilities through which

MRS. AVRAM is escorted by Quincy Mumford, the Librarian of Congress.

DR. SKELLY takes a little break from her receiving-line duties at the banquet.

ABOVE, Miss Beerady, Dr. Epps, Dr. Leventhal, and Mrs. Rogers greet guests in the receiving line.

LEFT, Dr. Skelly—"War may be called the ultimate symptom of communication breakdown."

she has originated and carried out entirely new methods of communication with and for persons unable to speak or those who are blind and deaf."

In explaining the vital work of the speech pathologist, Dr. Skelly noted that "human beings recognize that other human beings are human through language. Loss of this ability is the most serious impairment a human being can suffer. It can lead to penury, divorce, depression, quarrels, loss of self-respect, even to murder, sometimes self-destruction. War may be called the ultimate symptom of communication breakdown." #

MAYOR Walter E. Washington of Washington, D.C., reads Dr. Epps' citation.

MISS BOORADY
at the reception before the Awards banquet.

MRS. ROGERS gives her acceptance speech while Ambassador L. Dean Brown, Deputy Under Secretary for Management, State Department, looks on.

WORTH NOTING (CONT.)

Federal Government since the beginning of the retroactive pay period. This obligation will be satisfied by sending a notice of entitlement to the former employee's (or survivor's) last known address.

☐ BLUE COLLAR wage controls ended. With the lifting of wage and price controls, the Commission authorized pay adjustments for Federal blue-collar employees whose pay increases had been held to 5.5 percent under the controls even though that amount did not provide parity with wages for similar work in the private sector.

Normally, wages of Federal blue-collar employees are adjusted annually on the basis of wage surveys conducted in 137 geographic areas. In most areas parity would have exceeded the rate under the controls. On a national basis the pay of 332,500 workers (61 percent of the 547,000 total blue-collar work force) will be adjusted at an estimated cost of $168 million.

☐ ANNUITIES TO INCREASE. A 6.4 percent cost-of-living annuity increase for some 1,300,000 retired Federal employees and survivors will become effective July 1. The increase will be reflected in annuity checks mailed August 1.

The increase was generated by a rise in the Consumer Price Index (CPI) above the base figure of 136.6 established in October 1973. The CPI reached 141.5 in February, 143.1 in March, and 144.0 in April, for a net increase of 5.4 percent over the base figure, to result in an annuity increase of 6.4 percent.

In January 1974 annuitants received a 5.5 percent increase, and in July 1973 a 6.1 percent increase.

☐ BENEFITS INCREASED for 800,000 retirees and survivor annuitants. Annuities based on retirements before October 20, 1969, will be increased $20 for retirees and $11 for survivors, under provisions of the recently enacted Public Law 93-273. In addition, the new law provides that the minimum civil service retirement annuity must equal the minimum Social Security benefit payable to a worker retiring on or after age 65. These increases become effective August 1 and will be reflected in checks mailed September 2.

☐ LABOR-MANAGEMENT hearings. CSC Chairman Robert E. Hampton was the lead-off witness at hearings on a variety of pending bills that would place the Federal labor-management relations program in a statutory framework. The hearings were conducted May 21 and 22 by the Manpower Subcommittee of the House Post Office and Civil Service Committee. Chairman Hampton's testimony dealt with the dynamics of labor relations, the essentiality of merit principles, and the central concern for the public interest. Committee Chairman David N. Henderson scheduled union witnesses to testify June 4 and 5 with additional hearings scheduled later.

Earlier, the Federal Labor Relations Council heard testimony from representatives of eight agencies and nine unions in 3 days of public hearings held April 8, 9, and 10 in Washington. In addition to testimony clarifying issues previously presented by agencies and unions, prime interest focused on the impact of higher level regulations on the scope of bargaining, problems encountered in the consolidation of smaller units into larger bargaining units, and processing charges of unfair labor practices.

☐ MATERNITY LEAVE. Federal agencies have been advised to review internal policies governing maternity leave to assure they are consistent with a recent Supreme Court decision. In short, arbitrary cutoff dates, which assume a woman is physically incapacitated when medical evidence is wholly to the contrary, are not acceptable. For details, see Commission Bulletin 620-26 of May 2, 1974.

☐ VIETNAM ERA VETERANS. Chairman Hampton announced that Federal hiring of Vietnam Era Veterans (VEV's) in the first 8 months of FY 1974 exceeded expectations for the entire fiscal year. Federal agencies reported to the Commission that 8,822 VEV's were hired during February, bringing the 8-month total to 71,810 as compared with 70,000 appointments expected for the entire FY 1974. At this time in fiscal 1973, agencies had appointed 50,671 VEV's, Chairman Hampton said.

☐ EMPLOYMENT of minorities increases. Minority group employment in the Federal Government has shown another significant gain, the Commission reported. A Government-wide employment survey for the period of May 31, 1972, to May 31, 1973, showed that minority employment went up approximately 10,000 jobs, while total Federal employment decreased by 50,176 jobs.

Minority employment increases in the face of overall cutbacks were attributed to vigorous implementation by agencies of their equal employment opportunity programs and increased enforcement activity by the Civil Service Commission under provisions of the Equal Employment Opportunity Act of 1972.

As of May 31, 1973, Negroes, Spanish-surnamed Americans, American Indians, and Oriental Americans held 515,129 Government jobs, up from 505,468 in the preceding year, and comprised 20.4 percent of the Federal civilian work force, compared with 19.6 percent the year before.

☐ RIF AUTHORIZED. At the request of the Department of Defense, the Civil Service Commission has made a determination that a major reduction in force exists in the Department, and has authorized optional early retirement for employees of the Department who meet the requirements outlined in Public Law 93-39.

During the period beginning May 1, 1974, through August 31, 1974, any civilian employee of the Department of Defense, in any occupation, and at any location within the 50 States and the District of Columbia, may retire voluntarily if he or she is 50 years of age with 20 years of service or at any age with 25 years of service. In cases where the retiring employee has not attained age 55, the annuity will be reduced one sixth of 1 percent per month, or 2 percent per year, for each year the employee is under 55.

☐ AGE DISCRIMINATION. The Federal Labor Standards Act Amendments of 1974 extend the Age Discrimination Employment Act of 1967 to cover Federal employees. The Commission has been given responsibility for enforcement.

In addition, the Commission has been given authority to set a maximum age requirement for a Federal position when it finds that age is a "bona fide occupational qualification."

☐ SICK PAY EXCLUSION. The Internal Revenue Service has ruled that taxpayers, including Federal annuitants, who retired on disability before reaching the mandatory retirement age (70 for Federal civil servants) can now apply the sick pay exclusion of up to $100 per week to their disability payments.

—Ed Staples

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