

REFORMING UTAH'S STATE CAREER SERVICE

UTAH GOVERNMENT WOULD OPERATE BETTER WITH AT-WILL EMPLOYMENT

One-in-three Utah state employees serve at-will. The remaining workers have civil service job protections that require 8 months for dismissals. **Other states have entirely at-will workforces.** HR directors in those states report **an at-will makes their workforce more responsive, flexible & efficient.** Utah could provide better government with at-will employment.

One-in-Three Utah State Employees Serve At-Will

- **36 percent of state employees now serve at-will.** This includes employees in the Department of Environmental Quality, the former Department of Technology Services (DTS) and supervisors hired after June 2022.
- **93 percent of DTS employees voluntarily gave up civil service protections** in exchange for higher salaries.
- **A 2022 bill making new hires at-will was supported** by the Division of Human Resource Management, the State Auditor & the Governor's Chief Innovation Officer.

Several States Have Entirely At-Will Workforces

- Nearly all **Arizona, Georgia, Missouri, and Texas** state employees, and **Florida** state supervisors, **serve at-will.**
- **At-will employees cannot appeal dismissals**—similar to private sector workers, they cannot be fired for discriminatory or retaliatory reasons, but otherwise can be quickly dismissed.
- **Feared abuses have not materialized.** Surveys of career HR directors show patronage hiring and pretextual dismissals rarely occur in at-will states.

At-Will Improves Government

State HR directors report at-will employment makes government:

- **More responsive** to agency leaders
- **More flexible** with HR functions
- **More efficient** with HR operations

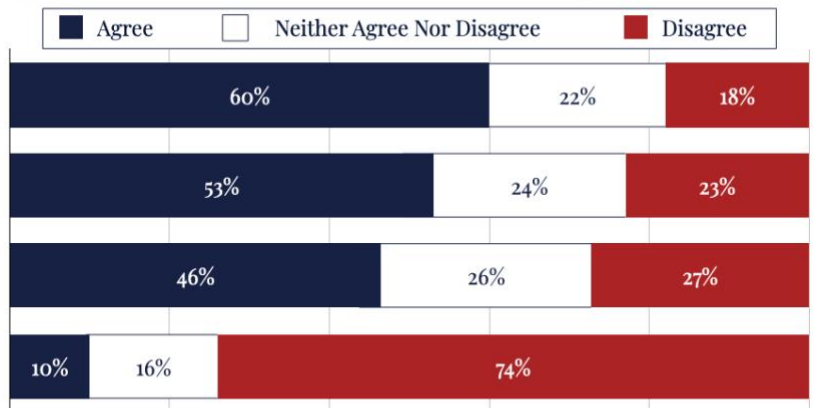
“At-will rewards performance. The challenge with career service is that too often it rewards those who don't perform.”

~ Utah State Auditor John Dougall

HR Directors' Opinions on the Effects of At-Will Employment in Georgia, Florida, Texas, and Mississippi

QUESTION: In general, at-will employment in government ...

- Helps ensure that employees are responsive to the goals and priorities of agency administrators.
- Provides essential managerial flexibility over the HR function.
- Makes the HR function more efficient.
- I know of a case where a competent employee was fired at-will so that another person with friends or connections to the government could be hired.



Source: J. D. Cogburn, R.P. Battaglio, J. S. Bowman, S. E. Condrey, D. Goodman, & J. P. West "State Government Human Resources Professionals' Commitment to Employment at Will," The American Review of Public Administration, Vol. 40 (2010), Tables 1 & 2. <https://sites.duke.edu/hiou/files/2011/05/Cogburn-et-al.-State-Government-Human-Resource-Professionals-Commitment-to-Employment-at-Will.pdf>