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ORAL
TESTIMONY

Of

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President

SENIOR EXECUTIVES ASSOCIATION

Before the

SENATE SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

“EMPOWERING MANAGERS: IDEAS FOR A MORE EFFECTIVE FEDERAL WORKFORCE”

February 9, 2017

Chairman Lankford, Ranking Member Heitkamp, and Members of the Subcommittee:
thank you for the opportunity to testify before the Subcommittee today.

The Senior Executives Association and our members are eager to work with you and the new Administration to develop common sense solutions to the challenges we know confront the civil service. The 7,200 career Senior Executives play a vital role when implementing positive change in the government. Utilizing their depth of expertise and knowledge will be critical as we develop the common sense solutions we all know are required.

My written testimony discusses many of those possible solutions and I am ready to provide more information or answer any questions you might have. I would like to focus my remarks today on several broad issues that will help inform that discussion, namely, the answer to three questions:

1. Are Federal leaders currently *empowered* to effectively manage the Federal workforce?
2. What are the constraints on *empowerment*?
3. What are the most impactful solutions that we should pursue?

The answer to the first question, sadly, is no. There are two root causes for this lack of empowerment.

First, the complexity of workforce management processes and rules makes it extremely difficult for Federal leaders to be sufficiently empowered. Navigating the maze of HR rules and regulations while also focusing on the primary objective of a Federal leader – fulfilling their agency’s mission – is a difficult task for even the most adept Federal leader.

Second, Federal leaders lack the tools they require to effectively manage their workforce when achieving 21st Century missions. Corporate America correctly recognizes that

it needs to know the composition of its workforce, the best places to hire talent, and how to use risk/reward frameworks to incentivize their workforces. In the Federal government, the tools that would enable Federal leaders to do the same are not available.

This leads to the discussion on the constraints on empowerment. I would put them in three baskets.

The first basket is the complexity of Federal workforce management. Anyone, including Federal leaders, would be overwhelmed by rules and regulations that are often seemingly contradictory. This is most apparent in the hiring process, which forces a leader to make compromises that can often result in the best qualified candidate not being chosen.

The second basket is the many routes of appeal, or “forum shopping,” for employees contesting a particular personnel action. The threat of an IG or EEO complaint or union grievance can stop a leader cold when dealing with poor performance. Accountability is difficult to impose on a workforce that has so many avenues of appeal at their disposal.

By the way, my experience is that “forum shopping” occurs whether we are talking about a GS-2 or an SES.

The third basket is an absence of a functioning risk/reward framework. Leaders should encourage their workforce to take measured risk when executing programs that advance an agency’s mission, and then should reward those employees appropriately. Instead, risk is devalued and rewards, such as raises and bonuses, are tied to tenure and general performance. This discourages innovation and rewards average performance.

My top three recommendations are tied to these constraints.

First, please help us by reducing the complexity of Federal workforce rules and regulations, particularly on hiring. We make several recommendations in my written testimony.

Second, let's figure out a way to simplify employee appeals of an adverse personnel action. We are fully supportive of EEO, IG, whistleblower and union grievance processes and believe they have their appropriate role in the Federal workforce framework.

But a separate process for the resolution of personnel performance issues must be developed.

Finally, we desperately need a new risk/reward framework, particularly tied to annual performance reviews. Federal leaders want to reward high performers and distinguish high performance from the routine delivery of services by an employee. Not everyone deserves to be promoted or get a bonus. It should be earned and recognized.

I would like to conclude by thanking the Subcommittee for holding today's hearing.

The Senior Executives Association and our members are deeply grateful for your thought leadership on this issue and we look forward to working with you to restore the notion of a civil service that is regarded as world class and worthy of the public trust that has been given to it.

Every day, millions of Federal employees are doing amazing things on behalf of the American taxpayer: managing public lands, defending the homeland, protecting the environment and helping to build an innovation economy, to name just a few.

You should take great satisfaction in knowing that the work this Subcommittee is doing will help all Federal employees and leaders accomplish their vital missions more effectively and efficiently.