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To: All Employees
From: State Director
Subject: Merit System Principles/Prohibited Personnel Practices

The following information on merit system principles and prohibited personnel practices is to be shared with all employees every two years.

The merit system principles are the fundamental precepts which guide the conduct of Federal personnel management. They are the philosophic essence of various pieces of Civil Service reform legislation developed over the course of the 19th and 20th centuries. They are implicit in the laws, executive orders, rules, and regulations for administration of the Civil Service.

The history of the US Civil Service and the subsequent development of the merit system comprise many interesting “chapters” in the development of our nation. The three most important milestone legislative acts leading to the development of the merit system principles were:

- The Pendleton Act of 1883
- The Intergovernmental Personnel Act of 1970, and
- The Civil Service Reform Act of 1978.

At the height of the “spoils era” (1829-1883), each change in national administration was the signal for wholesale removal of Government employees to provide jobs for the supporters of the new President, members of his party and party leaders, and sometimes for the leaders of a faction within the party. The struggles for jobs caused much bitterness, and jobs were openly bought and sold. Incompetence, graft, corruption, and outright theft were common.

In 1881, President James A. Garfield was assassinated by a disgruntled job seeker while waiting to board a vacation train in Washington’s old Baltimore and Potomac railroad station. Garfield’s death gave new impetus to a Civil Service reform bill introduced six months earlier by

Senator George Pendleton of Ohio and other powerful proponents of the merit system. Passed in 1883, this Act established procedures to assure that selections for certain Federal jobs would be open, competitive, and free of political coercion. Then, in the 1930's, the Social Security Administration required states that received Federal grants to meet certain merit standards in their employment practices.

It was not until 1970, though, that the Intergovernmental Personnel Act required States receiving Federal funds to follow six merit principles. Prior to this, there was no clear expression of the principles as they apply to Federal personnel management. Finally, it was the Civil Service Reform Act of 1978, which gave birth to the set of merit system principles and prohibited personnel practices that we recognize today.

The Merit System Principles

- Recruit qualified individuals from all segments of society, and select and advance employees on the basis of merit after fair and open competition.
- Treat employees and applicants fairly and equitably without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition.
- Provide equal pay for substantially equal work and reward excellent performance.
- Maintain high standards of integrity, conduct, and concern for the public interest.
- Manage employees effectively and efficiently.
- Retain or separate employee on the basis of their performance.
- Educate and train employees when it will result in better organizational or individual performance.
- Protect employees from improper political influence.
- Protect employees against reprisal for lawful disclosures of information in “whistleblower” situations (i.e., protect people who report things like illegal and/or wasteful activities).

Prohibited Personnel Practices

Employees who have the authority to take, direct others to take, or approve personnel actions shall not:

- Discriminate on the basis of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.

- Solicit or consider employment recommendations based on factors other than personal knowledge or records of job related abilities or characteristics.
- Coerce an employee's political activity.
- Deceive or willfully obstruct a person's right to compete for employment.
- Influence any person to withdraw from competition for any position to improve or injure the employment prospects of any other person.
- Give unauthorized preference or advantage to any person to improve or injure the employment prospects of any particular employee or applicant.
- Engage in nepotism (hire or promote or advocate the hiring or promotion of relatives with the same agency component).
- Retaliate against employees or applicants who exercise their appeal rights, testify or cooperate with an Inspector General or the Special Counsel, or refuse to break a law.
- Discriminate based on personal conduct, which is not adverse to on-the-job performance of the employee, applicant, or others.
- Violate any law, rule, or regulation, which implements or directly concerns the merit principles.

If you have any questions regarding the above information, please don't hesitate to contact your servicing Human Resources Specialist via Lotus Notes or by calling 303-239-3935.

Signed by
Ron Wenker
State Director

Authenticated by
Don Snow
EMS Operator