

## **B 003 03**

### **EXECUTIVE ORDER**

#### **CREATING THE GOVERNOR'S COMMISSION ON CIVIL SERVICE REFORM**

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order creating the Governor's Commission on Civil Service Reform.

##### 1. Background and Need

Colorado's civil service system is the most rigid in the country. It was established as part of the State Constitution in 1918, in a time before wage and hour laws, the Fair Labor Standards Act, the Occupational Safety and Health Act, the Hatch Act, the Civil Rights Act of 1964, the Americans with Disabilities Act, and their counterparts in state law. While the world has changed substantially since 1918, the Colorado civil service system has remained largely unchanged. The result is a rigid employment system that causes waste and inefficiency and hinders the effectiveness of the state workforce.

Despite some important strengths – most notably the “merit principle” – Colorado's civil service system has failed to keep pace with changing legal and economic circumstances. This static employment system has prevented Colorado state government from modernizing its processes in ways currently enjoyed by almost every other state. For example, Colorado is one of only two states that restricts state managers to considering only the top three candidates for a position, rather than all qualified applicants. In addition, Colorado is the only state where the Constitution prescribes the probationary period for new employees. Only three other state legislatures are prevented by their constitutions from determining what positions should be covered by the civil service. Over two-thirds of all states do not even mention the civil service in their constitutions.

Accordingly, I hereby create the Commission on Civil Service Reform (the “Commission”). I am appointing this Commission to review Colorado's civil service system and to identify and recommend reforms to better serve the needs of state government, public employees, and taxpayers. I request that the Commission identify and make specific recommendations for constitutional reforms to be proposed for consideration by Colorado voters.

##### 2. Membership and Organization

A. The Commission shall consist of no more than 12 voting members to be appointed by the Governor. Members shall have a demonstrated record of achievement in government,

business, higher education, or other disciplines where human resources management for large organizations is critical.

B. The Governor shall appoint two members of the Commission to serve as Co-Chairs of the Commission.

C. All appointees of the Commission shall serve at the pleasure of the Governor.

D. The Governor shall appoint a Director of the Commission who shall be responsible for its staffing and operations.

3. Powers and Duties

The Commission shall have the following powers and duties.

A. The Commission shall meet as determined by the Co-Chairs.

B. The Commission shall review and consider proposals for reform of the Colorado Constitution with respect to the civil service system, including, but not limited to:

i. Improving the application of the merit principle;

ii. Employee selection, retention, discipline, and separation;

iii. The role of classified employees in institutions of higher education and senior management positions; and

iv. Parameters of privatization, outsourcing, and temporary employees.

C. The Commission shall report its findings and recommendations to the Governor by September 1, 2003.

4. Duration

The Commission and this Executive Order shall expire on September 1, 2003 unless otherwise terminated or extended by the Governor.

Given under my hand and the  
Executive Seal of the State of  
Colorado, this 12th day of  
March, 2003.

Bill Owens  
Governor